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Captain Henry Martin Beare

(1760-1828)

Life, Ancestry, and Descendants

by

Samuel Seabury

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In Affectionate Memory of

My Mother

Alice Van Wyck Beare Seabury

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CAPTAIN HENRY MARTIN BEARE

(1760-1828)

From a portrait in the possession of Samuel Seabury

Acknowledgment.

Acknowledgment is gratefully made to many of the descendants of Captain Beare for information furnished as to their own families in response to letters of inquiry written to them. I feel deeply grateful to Mrs. Emil de Zarauz of Washington, D. C., who has not only given information as to the descendants of William Henry Beare, the eldest son of Captain Beare, but has permitted me to reproduce herein photographs of portraits of Mr. Macarty, as well as the photograph of the portrait of Mrs. Macarty and the Beare children. I am pleased to acknowledge the assistance rendered me by Mrs. James Henry Townsend Green of London, England; the late Mrs. Stephen H. Green of Pasadena, California, and Mrs. Frederic E. Lewis of New York City. My thanks are due to Peter Oliver, Esq., and Andrew Oliver, Esq., great-great-grandsons of Captain Beare, for their assistance in putting this volume through the press and for the verification of many of the references cited, and to Mrs. John F. W. Whitbeck for valuable assistance in correcting proofs and the preparation of the index.

S. S.

INTRODUCTION.

The subject of this sketch came, on both father's and mother's side, from west country English stock. He was born in Devonshire, probably in the parish of Wolborough, where his father and grandfather had lived, and where his paternal grandfather had died. His ancestors, paternal and maternal, had lived for many generations in the west of England.

He commenced his sea-faring life when about twelve years of age. Five years later he entered the British navy as an able-bodied seaman and passed through the positions of master's mate, midshipman, and lieutenant. Upon his retirement from the navy he entered the service of the East India Company and afterwards commanded ships of his own. In 1793, he went to the Isle of France, which often before he had visited in the discharge of his naval duties. There he married the niece and adopted daughter of a Mr. William Macarty, who was to become the American Consul on the island. From time to time after that marriage Beare was an owner and commander of merchant ships. The two oldest children of his first marriage were born at the Isle of France, while the third and last child of that marriage was born at Hamburg. Two years after the birth of this child his wife died, at the age of twenty-four years. After this he took part in an expedition up the Red Sea and joined in the campaign to expel the French from Egypt.

Before the death of his wife, he had become a part owner of the ship *Cleopatra,* of which he was captain and which brought a rich cargo of indigo, cotton, and sugar from the Isle of France into the Port of New York. On this trip he carried as a passenger a Frenchman named LeGuen. The ship's cargo was consigned to the well known firm of commission merchants, Gouverneur & Kemble. This cargo gave rise to one of the most famous law suits in the New York of that period. The plaintiff was the Mr. LeGuen whom Captain Beare had carried as a passenger on board the *Cleopatra* and the defendants were the commission merchants, Gouverneur & Kemble. The case, notable for several reasons, was chiefly so for the eminence of the counsel on both sides, Gouverneur & Kemble being represented by Gouverneur Morris and Brockholst Livingston who was afterwards to become an Associate Justice of the Supreme Court of the United States, while among LeGuen's counsel were Aaron Burr and Alexander Hamilton. We shall have occasion to refer in more detail to this law suit. It reached the Court of Errors of New York in 1800. Isaac Gouverneur, a member of the firm of Gouverneur & Kemble, is said to have died shortly after its decision in favor of LeGuen as the result of the disappointment which followed that announcement.

Captain Beare married as his second wife Charlotte Young, who was a granddaughter of Thomas Marston, an outstanding figure in the commercial and social life of New York at that time. After this marriage Beare made his home in New York City and became a naturalized citizen of the United States. From then on, he seems to have spent his time partly at sea, engaged in the merchant service, and partly in New York City. His eldest son by his second marriage was born on board one of his father's ships while off the southeast coast of Madagascar. The public records of New York City make occasional reference to Captain Beare as leasing real estate and disposing of the leasehold interests which he acquired. He died in 1828 in New York City, at the age of sixty-eight and was buried in Trinity Churchyard.

During his life upon the sea he experienced many adventures, an outline of some of which he dictated to his daughter, Henrietta Margaret Beare, a few years before his death. This outline has, since his death, been in the possession of his descendants. It was intended, as he dictated it, to be merely a rough record of events which might prove of interest to his children. That such was his purpose appears from the note which he addressed to his daughter and endorsed upon the outline:

> "To Henrietta Beare:—You may from this rough extract or journal collect the heads, when you have time and find some amusement from it.
>
> H. M. Beare."

Captain Beare's daughter wrote out copies of this journal and gave them to his other children. In a note to these copies she said:

> "The narrative in the following pages was evidently not intended to be a biography or memoir. But was simply short sketches of memorable events in the life of Captain Beare written out hastily and without revision for the purpose of interesting and amusing his family."

As Captain Beare dictated the outline of events he noted occurrences in which he had taken some part but he made no attempt to set forth these events in chronological order. In copying the outline the whole was reduced to narrative form thus giving the impression that each event which he described followed the last event before recorded. The recording of separate events as if in a consecutive narrative results in great confusion and is a use of his reminiscences which he never could have intended. If the dates of the events to which he refers are borne in mind and the record of them arranged in order, the whole becomes consistent and intelligible. The events to which he refers may easily be identified by those who are familiar with their history. We are not, however, dependent upon this method of identification because the British Admiralty Records not only show the names of the ships upon which Beare served but also contain the original logs of these ships. From them it is possible to locate with certainty exactly where Beare was while serving on these ships. In quoting extracts from his outline or journal of events each event has been checked with the log books of the ships upon which he served. These log books cover the time during which happened most of the events to which he refers. However, the journal as it now exists has, in addition to Captain Beare's own dictated account, additions made by his daughter, in the form of recollections of her own of various accounts which at one time or another she had heard from her father. It has seemed reasonable that the matters which his daughter wrote from her own recollection and annexed to the outline should not be given the same weight as the statements which her father made and which were written down by her at the time he made them. It is for this reason that the statements which embodied his daughter's recollection of what her father said have been discarded as authority for the statements contained in this sketch of the life of Captain Beare.

The statements of the dictated outline which have been used as a source of information are only those borne out by other corroborative evidence, such as the authentic histories of those events, the contemporaneous evidence of which exists in the records of the British Admiralty, the records of the India Office in London, the log books of the vessels upon which Beare was serving, and the evidence contained in public or parish records, or in current newspaper accounts made at the time the events referred to took place. It may be that in following so strict a rule matters of real interest which were entirely true have been altogether omitted, but while this may be so, it is also true that the events referred to in this sketch do not rest upon hearsay or vague family tradition. It has seemed preferable to omit matters that *might* have been the result of mistake on the part of the amanuensis even if something of interest in the telling of the story were to be lost, and to include only those matters which other independent proof established as authentic. If a copy of this outline in the handwriting of Captain Beare could have been discovered, it might not have been justifiable to pursue this eclectic method but, since no such original could be found, it seems wiser to have used only such portions of the dictated outline as, at this late day, are capable of independent verification. In the few instances where complete verification could not be found but substantial corroborative evidence of the statements made has been discovered, such statements have been used, but the fact that the statements could not be completely verified independently and the nature of the corroboration has been disclosed so that the reader may be in a position to judge for himself of the basis upon which the statements rest. This course has not been adopted from any misgivings as to the correctness of the daughter's recollection of what she understood her father to have said, but because it seemed obvious that statements so written down, in some instances long after the narrative was told to her, were open to the possibility of error.

Over a century has now elapsed since Captain Beare dictated his outline. The task of endeavoring to discover how far the facts stated in the outline were susceptible of independent proof has itself been full of interest. It has been interesting to find that, after so long a period, there still exists in out of the way places, in public archives, in parish records, among family papers, in old log books, and hidden away in newspapers now over a hundred years old, the evidence of the chief events in the life of Captain Beare, which were noted down by him when within two years of the allotted three score and ten, for the edification of his children.

It seems not unlikely that his descendants might be interested in the events in which their ancestor took part and in the account of some of these events which others have given, and it is with this belief, and for this limited circle, that this account has been written of the life, ancestry, and descendants of Henry Martin Beare.

While Beare's outline gave considerable information about his own experiences, it gave no information about his parents or his ancestry. The only statement which furnished any clue as to who he was, was the statement made to his daughter that he was born in Devonshire. This, and the fact that he used the coat of arms and crest which have long been borne by certain branches of the Beare family in England, were the only circumstances which at the outset seemed to offer any aid to the attempt to trace his ancestry. The task has been prolonged and arduous and has necessitated investigations in England, in Mauritius, and in this country, along many lines, some of which proved in the end to be of no use. Researches finally disclosed a bill of complaint in an old chancery suit in England filed by one John Beare, against John Bradford a surgeon, and Thomas Burdell, both of whom were stated in the bill to be of Newton Abbot. The suit sought to compel the defendants to deliver to the plaintiff certain deeds and records, and, among other things, it recited that John Beare had married Flora Martin of Newton Abbot in 1759 and that by 1766 three children had been born to them. The bill of complaint, while not lacking in prolixity, was tantalizingly silent as to the names of the children of that marriage. It also recited, as among the reasons why John Beare had not earlier demanded the deeds which he sought, the fact that during the then late war he had been out of England rendering service in His Majesty's navy. No other papers were filed in this suit. The facts stated in the bill of complaint indicated only that John Beare and Flora Martin might have been the parents of Henry Martin Beare. The dates mentioned, the section of England referred to, the fact that John Beare had married a Martin, and the fact that he had served in the navy all seemed to fit in with the hypothesis that John Beare and Flora Martin were the parents of Henry Martin Beare. Working on this hypothesis, parish registers were searched, and, to make a long story very short, the parish register of Wolborough, Devon, disclosed the marriage of John Beare and Flora Martin, widow, the date of birth of Henry Martin Beare, and the dates of baptism of two other children of that marriage. This register also showed that Flora Martin's maiden name was Cornish and that she had first married Henry Martin and by him had a son, Henry, who died before her second marriage to John Beare. In addition to this, these registers disclosed other information relating to the Beare family.

The manner in which this information was obtained is recorded as an encouragement to those engaged in genealogical research. Until the old chancery bill of John Beare was disclosed, no information had been obtained which indicated the parents of Henry Martin Beare. The fact that Beare bore a coat of arms which certain branches of the Beare family in England bore was not of assistance, owing to the fact that there were many branches of the Beare family in different parts of England which bore the same arms.

After the entries in the parish register of Wolborough were discovered, information was received, in response to earlier inquiries made at Mauritius, which disclosed the certificate of marriage of Henry Martin Beare to his first wife. This certificate confirmed in all respects the information obtained from Wolborough to the effect that Beare was a native of Newton (Newton Abbot), then a Chapelry in the parish of Wolborough, and that he was the son of John and Flora Beare.

The list of the descendants of Henry Martin Beare which has been prepared is as complete as information in our possession permitted. Endeavor has been made to avoid errors in dates and other details, but in work of this nature it is almost impossible wholly to avoid such errors.

It has seemed appropriate to preface the tracing of the ancestry of Henry Martin Beare with a brief account of the origin of the name and some general comments on the history of the Beare family. The branches of this family in England are so numerous as to preclude anything like an attempt on our part to give a complete family history. The comments made, however, refer to some of the early members of the family in England and in a general way to some of the different families of that name in different sections of the country. The portraits of Henry Martin Beare and of his second wife which have been reproduced are in the possession of the writer. Upon the death of Henry Martin Beare, these portraits came to his eldest son by his second marriage, Thomas Marston Beare, and upon his death in 1869, to the writer's mother.

The collection of the materials for this work has afforded a pleasant relaxation from other activities which have necessarily engrossed much of the writer's time. He realizes that the subject matter of the work is without general interest. It is not compiled for the public. The result of the investigations made is printed in the hope and belief that some among the descendants of Captain Beare may have a real interest in it.

Samuel Seabury.

Wyandanch Farm
East Hampton
New York

February 1st, 1938

Chronology of Events in the Life of Henry Martin Beare.

1760—February 7—Birth recorded Wolborough, County Devon, England.

1772—Goes to Sea.

1778—July 27—Wounded at Battle of Ushant.

1778—Fall of—Taken prisoner by French.

1778—From Fall of, to 1780 Prisoner of war at Dinan.

1780—Probably March—On leave of absence with family in England.

1780—April 23—Volunteers for service on the *Medea.*

1780—May 10—Master's Mate on board *Medea.*

1780—October 6—Discharged from *Medea.*

1780—October 6—Enters upon *Juno* as Master's Mate.

1782—November-December—In campaign against Hyder Ali.

1782—About December 12—Commissioned to carry intelligence to the Governor of Bombay.

1782—December 30—Enters upon *Superb.*

1783—January 23—Formally discharged from *Juno.*

1783—January-April—With the fleet at Bombay.

1783—April 19—Burning of ship *Duke of Atholl.*

1783—March 15—Advanced to Midshipman.

1783—April 21—Discharged from *Superb,* "on preferment".

1783—April 21—Enters upon the *Juno* as Lieutenant.

1783—June 20—Takes part in the battle off Cuddalore while on the *Juno.*

1783—November 5—Active in events off Tellicherry relating to the sinking of *Superb.*

1784—September 4—Discharged from the *Juno.*

1784—September 5—Enters upon the *Bristol* as Lieutenant.

1785—April 24—Discharged from *Bristol* and enters upon the *Defense* as Lieutenant.

1786—January 31—Paid off from the ship *Defense* at Chatham.

1786—March 4—Enters upon East Indiaman *York* at the Downs, bound for St. Helena and China, as Second Mate.

1787—October 31—Returns on *York* to Downs.

1788—April 30—Leaves Portsmouth as First Mate of *Prince William Henry,* East Indiaman, in her first voyage to Bombay.

1789—May 20—Returns on *Prince William Henry* to Portsmouth.

1790—January 13—Examined and approved as Chief Mate of the *Prince William Henry.*

1790—March 26—Sails from Downs as First Mate of *Prince William Henry* to Bengal in her second voyage.

1790—August 6-9—Communication addressed to Lord Cornwallis announcing that *Prince William Henry* is safe arrived a little above Kedgeree and report signed by officers, including Beare, as to why they sailed to Cadiz instead of Lisbon.

1790—September 15—Letter by Capt Dundas of *Prince William Henry* enclosing application, with his recommendation, dated September 13, 1790, for Beare to remain in the country three months to attend to private affairs.

1790—November 6—Recorded as resigned and accorded permission to remain in country three months.

1791—February 12—In command of the *Eliza.*

1791—March 22—Arrives Bombay in command of *Eliza.*

1791—October 24—Leaves Bengal in command of *Eliza.*

1791—December 4—Arrives Bombay in command of *Eliza.*

1792—June 8—Arrives Whampoa from Bombay as Commander of the *Hannah.*

1792—November 5—Sails in command of the *Hannah.*

1793—In command of a merchant ship of his own between China and the Isle of France.

1793—February 3—Married Elizabeth Macarty at Isle of France.

1794—January—Probably in command of the brig *Grace* taken by French as a prize to the Isle of France.

1794—March 11—Oldest son born, Isle of France.

1795—February—Purchased ship *Cleopatra* and left for New York.

1795—April 17—Arrived in command of *Cleopatra,* New York City.

1795—Probably June—Sails from New York for Isle of France in Newburgh Sloop to see wife and child.

1795—September or October—Arrives Isle of France.

1795—November 20—Daughter, Rene Maria Charlotte, born, Isle of France.

1797—January 27—Probably in Hamburg, where his son, Charles Philip, was born on that day.

1798—December 24—Arrives Calcutta in command of *Ajax.*

1799—January 10—Sails from Calcutta in command of *Ajax.*

1799—August 25—Arrives again, in command of *Ajax,* at Calcutta.

1799—September 10—Sails, in command of *Ajax,* for Calcutta.

1799—Wife dies.

1800—December—Joins expedition from Bombay to Kosseir in Egypt.

1801—June—Arrives at Kosseir and crosses desert to Ghenna.

1801—October, November or December—Returns to New York.

1802—November 2—Marries Charlotte Young at New York City.

1804—July—Naturalized as citizen of United States.

1804—October 17—Daughter, Henrietta Margaret, born.

1804—October—Leaves New York for London.

1804—December—Arrives in London.

1805—January—Goes to Hamburg.

1805—March—Leaves Hamburg for England.

1805—April—Sails from Liverpool to New York.

1805—May 1, 2, or 3—Arrives in New York City.

1805—Probably June—Leaves with his wife for East Indies.

1806—March 29—Son, Thomas Marston, born at sea off southeast end of Madagascar.

1806—Probably June—Returns to New York.

1809—March 25—Leases property from Trinity Church.

1810—June 20—Assigns lease to Benjamin Bailey.

1810—October 13—Assigns lease to 102 Chambers St. to James Boggs.

1814—January 11—Wife's grandfather, Thomas Marston, dies.

1814—April 23—Joins with heirs of Thomas Marston in conveyance to Cheevers.

1814—April 23—Joins in another conveyance of the same character.

1814—April 30—Makes deed with other heirs of Thomas Marston to some of the real property of the latter.

1815—September 14—Youngest son, Henry Martin, born.

1818—March 25—Leases from Trinity Church land known as "Church Farm".

1818—October 16—Daughter Cornelia Matilda born.

1826—December 29—Signs Will.

1827—January—Dictates outline journal to his daughter.

1828—April 11—Joins with his brother-in-law and sister-in-law, Philip Brasher and Cornelia, his wife, in conveyance to Walter Livingston.

1828—May 1—Assigns interest in lease to Wm. Wheelwright.

1828—July 14—Philip Brasher makes conveyance to him, as Trustee.

1828—September 5—Makes conveyance to Richard Christopher.

1828—September 8—Signs deed as Trustee of Brasher to Samuel F. Mott.

1828—September 29—Dies in New York City.

1828—September 30—Funeral in New York City; buried in Trinity Churchyard.

CHAPTER I.

The Origin of the Name Bere or Beare.

The name **Beare**, like most English surnames, has undergone a variety of changes. We find it spelled **Bere, Beer, Beere, Bear** and **Beare,** and in other forms. The forms in which it is most commonly found in English records are **Bere** and **Beare.** Both of these forms have survived to the present time. The etymologists have had considerable to say about its origin and meaning and some of the speculations in which they have indulged are not correct. It is derived from the Saxon **Beera**, meaning *a grove,* and the frequency with which it occurs in Devonshire is an indication of the aspect of that shire in earlier times. It is said also to be akin to the Anglo-Saxon **Burton** or **Barton,** meaning corn village. In "Names and Places" by Rev. Isaac Taylor, M. A. London 1873 (p. 119), **Beer** or **Beare** is assumed to be identical with the Danish test word ''by''. The error in this opinion is pointed out by R. N. Worth, F. G. S., in an interesting article entitled ''Note on the Historical Connection of Devonshire Place Names'' in the publications of the Devon and Cornwall Records Society. In this article, Mr. Worth says:

> ''But the most noteworthy word in this connection is the constantly recurring *beer,* which is found in the varying forms *bera, berah, beer, bear* and *bere.* It enters into the names of only seven parishes, Aylesbeare, Beer (East Devon), Beer Ferrers, Kentisbeare, Loxbrae, Rockbeare, and Shebbeare; but it is found in at least eighty other instances in every part of the country. Mr. Taylor (''Names and Places,'' pp. 119, 120) treats it as identical with the Danish test word *by,*

> which would make Devon rather more Danish than the countries of the Danelaugh. It would not be difficult to show the historic baselessness of the suggestion. We could not believe, for example, that the Danes, when they found their way up the Tavy and ravaged Tavistock and its neighborhood, were plundering their own colonies at Beeralston and other places in the neighborhood, or that after the raid they would have been suffered to leave such colonies behind them, and yet if Beer was ever *by,* one of the horns of the dilemma must be accepted. Elaborate argument is not, however, needed. The word is plainly the Saxon *beera,* 'a grove', and its abundance is another indication of the aspect of Devonshire in those distant days. The only *by* I know of is Huckby, in Lydford."

The name Bere or Beare is perpetuated in several place names in different parts of England, especially in the West Country section, some of which are referred to by Mr. Worth in his "Place Names" of Devonshire. Bere Regis is a parish and ancient town in South Dorset which dates from the time of the Romans. Beer is a hamlet in East Devon seven miles northeast of Exeter, while BereTown is a hamlet in southwest Devon on the River Tavy and a half a mile east of Bere Ferres Station. Bere Alston is also a small town in Devon on the River Tavy and eleven miles northwest of Plymouth. In other parts of England the name also exists as a place name. There is a hamlet called Beare's Green in South Surrey four miles south of Dorking, and a hamlet called Bear Park in the North Riding of Yorkshire. We find also a Bere or Bear Island southwest of the County Cork, Ireland, on the north side of Bantry Bay. (See Bartholomew, "The Survey Gazetteer of the British Isles".)

The name Bere, Bear or Beare is sometimes supposed to be one of those names derived from the names of animals. As a family surname, this supposition is not correct, as the origin of the name, pointed out above, demonstrates. The name is sometimes used with this meaning as a nickname or sign name, and, when used in connection with a wood as distinguished from a hamlet or town, it may have this meaning. (See Henry Harrison's "Surnames of the United Kingdom, a Concise Etymological Dictionary", London, 1912.)

In B. Homer Dickson's "Surnames", Boston, 1855, under the title Bearcroft, Bere Croft (A. S.) Barleyfield, it is said: "Bere signifies both barley and bear. When connected with 'croft', 'ham', 'worth', etc., it would seem to be intended for barley, as a corn farm was called 'bereton' and 'bereins', whence Barton Berwick; but with 'ford', 'washe', 'wood', *bears* are probably meant."

The name as a surname appears at an early date in English records. In the Hundred Rolls an Adam le Bere is mentioned, while in the Calendar of Inquisitions, P. M., reference is made to Thomas de La Beere. In the Rev. H. P. Greswell's book entitled "Dumnonia and the Valley of the Parret" (1922), at page 168, Beer or Bera is said to have given a name to a family who lived there of whom one was Prioress of Cannington Nunnery, and the author says: "Possibly the Abbot of Glastenbury, Richard Beere (d. 1522) was one of this family but the name frequently occurs in the Wells MSS. The Powlet family succeeded the Bere family and made it one of their principal seats."

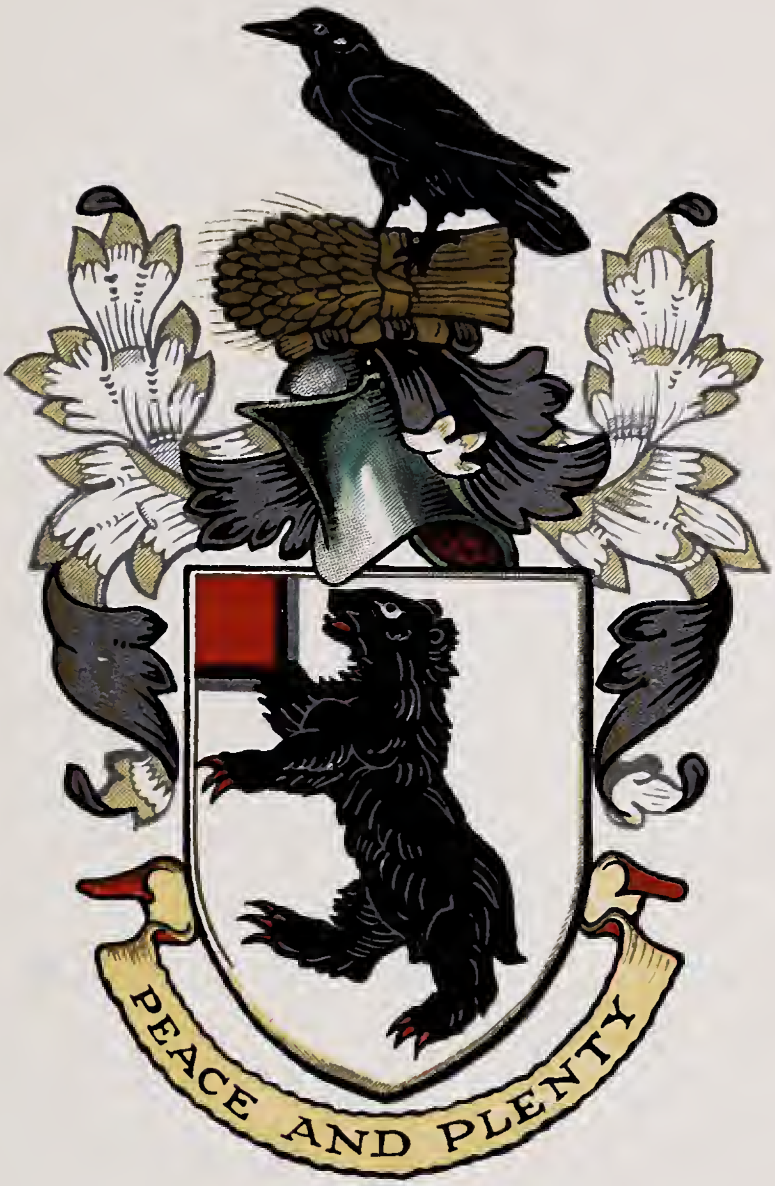
CHAPTER II.

Historical Sketch of Bere or Beare Families in England.

From the time of the Conquest at least, there were many members of the Bere or Beare family living in different parts of England. As early as the Hundred Rolls in the time of Edward I, we find records of persons of this name in widely separated parts of the country. This circumstance makes it impossible at this time to determine whether or not they were originally of the same family. In the Hundred Rolls there are references to over twenty persons of this name and it is notable, also, that these references are to those living in different sections of England, between which, at that time, communication must have been a matter of great difficulty. Thus in the Hundred Rolls, a Henry de La Bere and a Reginald de Bere are mentioned as resident in the County of Devon. In other counties we find a Thomas de Bere, a ''Rob't'' Bere and a Matilda Bere. Also, there are references to Adam le Bere, Agnes Bere, Aufillmus le Bere, Clement and John le Bere, Godun Bere, Godinus de Bere, Walter le Bere, and ''Will'm'' and Emma le Bere.

In the time of King Stephen, there lived a Baldwin de Bere who was Lord of Bere. He resided in Devon and is the ancestor of many of the Bere or Beare families which have lived in that section of England and the surrounding counties since that time. In Vivian's ''Visitations of the County of Devon'' and in Maclean's ''History of the Deanery of Trigg Minor Cornwall'', are pedigrees of Beare families which seem to have been carefully worked out and well authenticated, which trace descent from Baldwin de Bere. He is probably the common ancestor of many members of the Bere family who since that time have continuously dwelt in Devon, Somerset, Dorset and Cornwall. One branch of his descendants was known as the Beares of Huntsham, while a branch of the family at Huntsham became known as the Beares of Morebath. Of the same line of Baldwin also were those who are referred to as the Beares of Ashe, the Beres of Pengelly and the Beares of Bodmin, and also the Beres of Trevedo, the last three places referred to being situated in Cornwall. There is also a family of Beares of Bearescomb, one of which, John Beare of Bearescomb, in comparatively recent times, married Alice Reynell, a member of the Reynell family of Newton Abbot. (See Burke's ''History of the Commoners'', Vol. IV, p. 453.) There is also a family of Beres or Beares which was early seated at a place called Beare's Court, in the parish of Westcliffe, County Kent. There was a William de Bere of Beare's Court, who was Bailiff of Dover in the 2nd and 4th years of Edward I. Nicholas de Bere held the Manor of Beare's Court in County Kent in the 20th year of Henry III. There was a Roger Bere, who was a member of the same family, who died during the reign of Mary. His son, John Bere, in 1542 purchased of Thomas Horseman the Horseman place in Dartford. By his will, dated 1572, he founded four alms houses in Dartford. The tomb in Dartford Church of his son, Henry Bere, displays the arms he bore.

The arms which these several branches of the Beare family displayed are significant on account of their general resemblances as well as their differentiating features. The Beres or Beares of Huntsham and Morebath, County Devon, displayed as arms: arg. three bears' heads erased, sa., muzzled, or. The Beares of Bodmin and of Trevedo bore: arg., a bear, salient, sa (Vivian's ''Visitations of Cornwall'', p. 28). The Beres of Pengelly in Cornwall bore arms: arg., a bear, salient, sa., a crescent for difference. The Beres or Beares of Kent bore arms: arg. a bear rampant, sa., a canton, gu. crest on a garb, lying fessways, or, a bird, sa.


PEACE AND PLENTY

ARMS OF BEARE

The similarity between these arms and those borne by the Beares of Bodmin, Trevedo and Pengelly is apparent. The arms borne by Henry Martin Beare were identical with those last described above.

Reference has been made to the Beres of Kent who were descended from the John Bere who purchased Horseman Place in 1542. A branch of this Kent family of Beres resided at Gravesend. There are references to them in the "History of Gravesend and Milton in Kent, 1797", which was printed by R. Pocock. In Cruden's "History of Gravesend" there is an account of James Bere or Beare. The name is variously spelled in the records of the Corporation of Gravesend. This James Beare was the Master of the *Michaell,* which vessel was one of the fleet of Frobisher on his second voyage, Gilbert Yorke being the Captain. On the third voyage, Beare sailed in the *Annie Francis.* He died in 1609.

Cruden, in his "History of Gravesend", and Pocock, in the history printed by him, both quote the inscription on his tomb. The monument is an effigy of a man and wife and five sons and five daughters. The arms are: ar. a bear rampant, sa. armed and langued, and a canton, gules, a crest on a garb prostrate, ar. a Cornish clough, proper. The inscription is as follows:

> "After much wery sayling, worthie Bere arryved this
> quiet port, & harbers here.
> As skilfully in honestie he brought
> His humaine vessel home, as he was thought
> Equall with any that by Card or Starr,
> Took out and brought again his Barke from far
> So let him rest in quiet, till he heare
> The Trumpet sound, when all must rise with Bere
> And for his Fame and honest Memorie,
> This is his frail and brief eternity."

In Berry's "Pedigrees of County Kent", page 33, is a tabulated pedigree of the Beares of that section. It is from the Beares of Kent County that Richard Bere or Beers, who immigrated to this country in the 17th Century, was descended.

Mr. John Bere, who purchased Horseman Place and whose tomb is in Dartford Church, bore arms: "arg. a bear salient, sable, muzzled, or; quartered the arms of Nissell; three garbs, or a chief ermine." Yet the arms of James Beare, who is said to be of the same family, and who was Master of the *Michaell* and to whom a mural tablet was erected in Gravesend Church, were: "arg, a bear rampant, sable, armed and langued, or, a Cornish clough ppr." The church in which this mural tablet was erected was burned in 1727 but the inscription is preserved in the manuscript collection of Kentish Epitaphs in the Library of the British Museum. It is also, as noted above, copied in Cruden's "History of Gravesend".

The descendants of Richard Bere who was born in 1607 and came to New England in 1635 and the descendants of his two nephews Anthony and James Bere who came to New England with him, live in the United States. Their name has ceased to be "Beare" or "Bere" and the spelling "Beers" has been generally adopted by them. (See New York Genealogical & Biographical Record, Vol. 13, p. 85.) The name "Beare" and "Bere" has persisted in England in that form, where many of that name are still living. There are other families of "Beare" and "Bere" in the United States at present, which are probably descended from other representatives of the Beare family in England and which are not descended from Henry Martin Beare. In Devonshire today and in the adjoining counties, the section from which Henry Martin Beare came, there are representatives of the Beare family.

William Beare, the grandfather of Henry Martin Beare, was probably not a native of Wolborough. There is no account of his baptism or the marriage of his parents at that place. The probability is that he came to Wolborough from one of the adjoining parishes. In these adjoining parishes, many of that name resided at that time. As yet the name of his parents or the parish in which they resided is not known. William Beare himself, however, resided at Wolborough and was a man of some prominence in that place. His own children were born and baptized at Wolborough and it was there that his son John, the father of Henry Martin Beare, was baptized and married for the first and second time. The other descendants of William Beare probably lived, for some time at least, in Wolborough.

All through the west country in England today there are many families of the name of Beare. In Devonshire in villages not far from Wolborough the public records show that Beares have lived there for generations. Members of this family were resident at Chudleigh from 1608 to 1741, and the Consistory Court of Exeter contains many of their wills and references to administration upon their estates. From 1612 to 1752 there are wills and administrations upon the estates of members of this family at Highweek which is very close to Wolborough. Members of this family were resident also at Bishopstenton, St. David's, Abbotskerswell, Rew, Ringmore, Ashwater, Kingsteignton, Sandford, Topsham, and in other nearby parishes. The Bishop's Transcripts of these and other parishes, as well as the parish registers themselves, disclose many Beares. The wills and administrations of the Consistory Court of Exeter, the Principal Court of Exeter, the Archdeaconry Court of Totnes, are numerous and are included in the Exeter Probate Registry.

The real history of the Beare family lies hidden in these and other old records, and information as to it can be obtained from these sources, but the task of making it available in the present condition of the English records requires a vast expenditure of labor and a very considerable expenditure of money. Some of these records have been searched but the mass of material that has been collected from them is too disconnected and too large in volume to warrant its publication here. The reader will find in the Appendix the entries taken from the Wolborough Parish Register in relation to the Beare, Boone, Buckland, Bovett, and Martin families. In them will be found the proof of the statements made in the text as to dates of baptism, marriage, and burial. In the Appendix will also be found the entries relating to the Cornish family from the parish registers of Exeter Cathedral, St. David's St. Paul's, and St. Petrock's in Exeter.

CHAPTER III.

The Ancestry of Captain Henry Martin Beare.

In tracing the ancestry of Captain Beare we shall consider first his paternal ancestors and then trace the ancestors of his mother Flora Cornish Beare.

Up to this time we have found no record of the date of birth or parentage of William Beare the grandfather of Henry Martin Beare. It is probable that he moved to Wolborough from one of the parishes near that place.

William Beare, of Wolborough, Devon, was a man of some prominence in that place. His name appears several times in the register of the parish church, and always as "Mr. William Beare". He is described in his will as of "Newton Abbott, Mercer". He married Elizabeth Boone of Wolborough in 1713/14. (See Exeter Marriage Licenses.) She was baptized in the parish church at Wolborough about twelve years before her death, viz: December 22nd, 1730, and is referred to in the registers as an Anabaptist. The entry in the parish register under date of 1730 is:

> ''Decr. 22$^{do.}$ Baptizata fuit Elizabetha Bear uxor Guliel: Bear, Anabaptista.''

She died in May, 1742, and was buried on the 15th of that month. William Beare was buried March 16th, 1751/52. The entry in the register is in large letters. The will of William

Beare was dated November 22nd, 1751, and was proved 21st July 1752. It is recorded in the Archdeaconry Court of Totnes, Exeter Probate Register. The will is as follows:

> "In the Name of God, Amen. I, William Beare, of Newton Abbott in the County of Devon, Mercer, being weak of body but of sound disposing mind and memory, thanks be to Almighty God for the same, do now make, ordain, publish and declare this my last Will and Testament in manner following, that is to say, first I give and bequeath unto my son William Beare the sum of three hundred pounds of lawfull money of Great Britain to be paid to him by my Executrix hereinafter named at or in twelve months next after my decease, also I give and bequeath unto my son, John Beare, the sum of Five hundred pounds of lawfull money of Great Britain to be paid to him by my Executrix hereinafter named at or in Twelve months next after my decease, also I give and devise unto my daughter Elizabeth Buckland, the wife of the Reverend William Buckland, Clerk, her heirs and assigns forever all my lands and tenements within the parish of Wolborough in the County aforesaid or elsewhere, and I do hereby make, ordain and appoint my said daughter Elizabeth Buckland whole and sole Executrix of this my last Will and Testament but I do hereby subject and charge all my lands, goods, chattels and credits with the payment of the abovesaid legacies in manner aforesaid, and it is my will and meaning and I do so order that my said sons William Beare and John Beare shall each of them bear one third part of the loss that shall or may happen of any sum or sums of money that I have now at interest and also bear and pay the one third part of all such costs, charges and expenses that my said Executrix shall or may pay or be put unto in or about the recovery of all or any of my debts. IN WITNESS WHEREOF, I, the said William Beare, the Testator, have hereunto set my hand and seal this Two and Twentieth day of

WOLBOROUGH PARISH CHURCH

Wolborough, Devon, England

November in the year of our Lord one thousand seven hundred and fifty one.

Wm. Beare

Signed, Sealed, Published and Declared by the said William Beare, the Testator, to be his last Will and Testament in the presence of us who have hereunto subscribed our names as witnesses in the presence of the said Testator and of each the other of us.

John Bradford
John Lethbridge, Junr.
John Mugg

July 21st, 1752, Elizabeth Buckland the above named Executrix was sworn before me

J. Wolrige,
Surrogate.

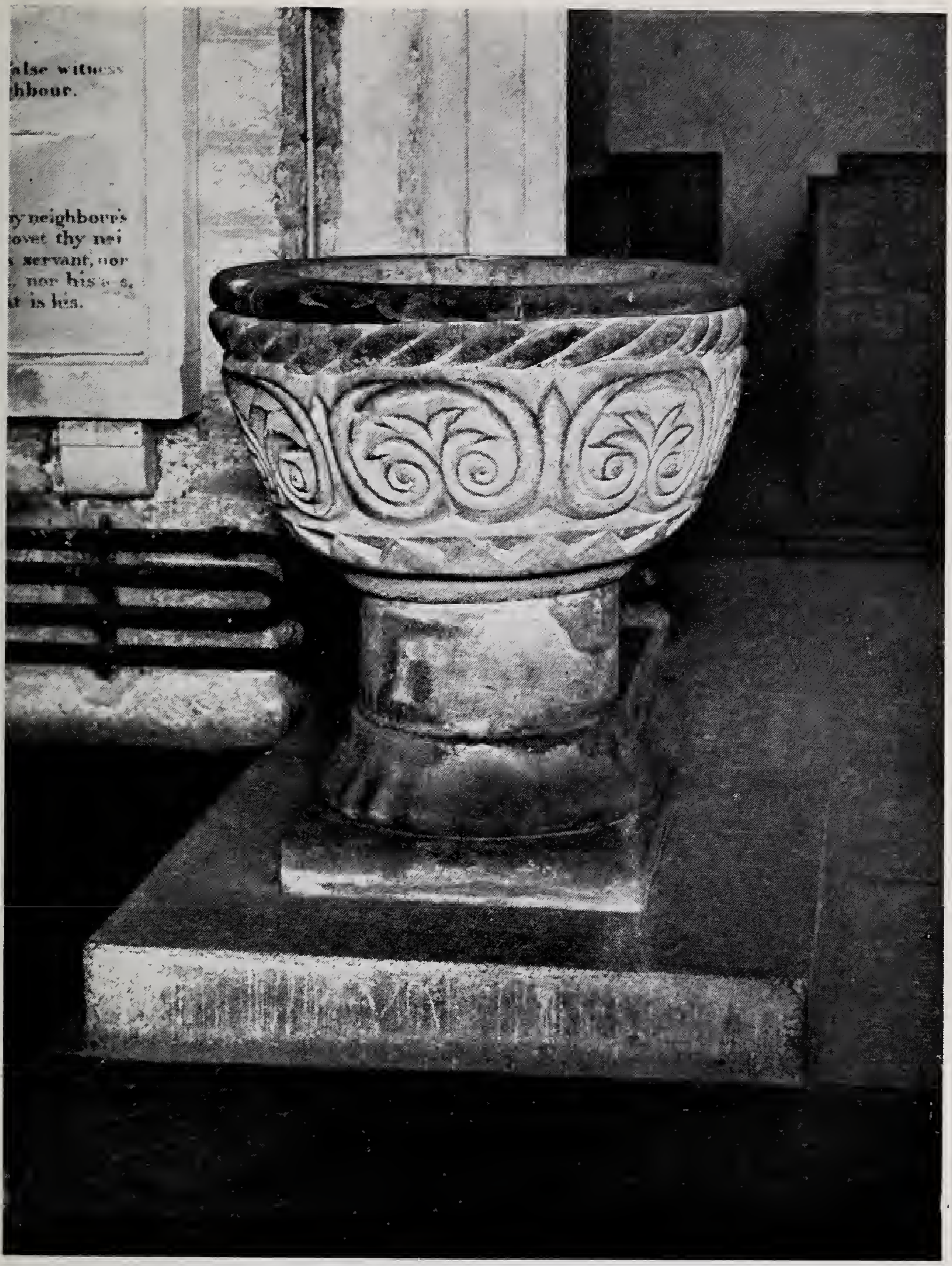
The John Lethbridge who signed as a witness was either the Devonian worthy of that name, or, as the word "Junr." which follows his name may indicate, his son. Mr. Worth, in his "History of Devonshire" (p. 308) says:

> "Wolborough was the burial—probably the birth—place of a Devonian worthy, John Lethbridge, whose death is thus recorded in the parish register, 'Dec. 11, 1759. Buried Mr. John Lethbridge, inventor of a most famous diving-engine, by which he recovered from the bottom of the sea, in different parts of the globe, almost £100,000 for the English and Dutch merchants, which had been lost by shipwreck'. Lethbridge appears to have been the first who succeeded in turning diving apparatus to any practical account; and there is still extant a silver tankard, on which is engraven a map of Porto Santo, where some of his chief exploits were done and an illustration of the diving apparatus at work. He dived on at least 16 wrecks, some with good success."

Another witness to William Beare's will was John Bradford who is the same person named as one of the defendants in the Chancery suit which John Beare, the son of William, brought against "Thomas Burdell of Newton Abbott, gentleman, and John Bradford, surgeon," of the same place. John Bradford also witnessed, on September 17th, 1760, the will of the Rev. William Buckland, who was a son-in-law of William Beare. Elizabeth Bradford, the wife of John Bradford, was one of those who signed the parish register as a witness to the marriage of John Beare and Flora Martin July 11th, 1759. Bradford was buried at Wolborough and on the wall of its parish church is a tablet with the following inscription:

"On the South side of this church
Lie Interred
The Mortal Remains of
John Bradford
of this Parish, Surgeon,
(son of John Bradford, Rector of
Great Torrington)
who died 7th November 1793 aged 73;
And of Elizabeth his wife
who died 8th December 1770
also of
Robert Bradford
Their Son
(37 years Curate of this Parish)
who died 17th February 1830, Aged 61;
And of Mary, His Relict
who died 2nd March 1848, aged 69
Also of
Blanch & Mary
Their Daughters
The former died in infancy
And the latter 5th November 1828
Aged 26."

The third witness to Mr. Beare's will was John Mugg, who was the same person who signed the Wolborough Parish register as a witness to the marriage on January 22nd, 1755, of


alse witness
hbour.
y neighbours
ovet thy nei
servant, nor
nor his
t is his.

FONT, WOLBOROUGH PARISH CHURCH

Henry Martin and Flora Cornish, who married for her second husband John Beare. The Wolborough Parish register contains the following entry in reference to Mr. William Beare:

> "A list of the contributors toward the fire engine belonging to the parish of Wolborough with the sums respectively contributed, collected by William Buckland, Curate, 1744,***(Inter alia) Mr. Beare 0.10.6."

William and Elizabeth (Boone) Beare had at least three children, viz:

1. Elizabeth Beare, baptized January 2nd, 1714/15. She married December 12th, 1743, Rev. William Buckland, who shortly thereafter became Vicar of Wolborough. He was Rector of the parish for fourteen years, 1746-1760. He was born at Crediton, Devon, and was the son of William Buckland, a furrier of that place. He was admitted sizar at the age of eighteen years at Sidney College July 5th, 1731. He matriculated 1731 and received his B. A. 1734/5. (See Venn's "Alumni Cantabrigiensis".) The Exeter Diocesan Registry contains the following reference to the marriage bond of William Buckland in applying for license to marry Elizabeth Beare:

> "Bond of William Buckland of Newton Abbot, clerk, and Robert Dacie of Exeter, upholsterer, dated 1 September 1743, for the marriage of the said William Buckland, and Elizabeth Bear, of Newton Abbot, spinster."

The Rev. William and Elizabeth (Beare) Buckland had issue four children: (1) John Buckland, born 1747; (2) Charles Buckland, (3) Elizabeth Buckland, and (4) William Buckland. Their eldest son, John, referred to in his father's will which set aside certain property "for maintenance of eldest son John who is to take Holy Orders, until he shall be entered at one of the universities", later matriculated at Corpus Christi College 3 April 1762, aged 15 years. He received his B. A. 1765, M. A. 1769 and B. D. 1778. (See Foster's "Alumni Oxonienses".)

In a list of the incumbents of the parish church of Wolborough, Devon, in "Devonshire Parishes" by Charles Worthy, p. 140, the following is contained:

> "20. William Buckland, 1746. This incumbent was buried in the south aisle of his Church, and his stone has a Latin inscription which states that he died of gout. He was followed in 1760 by
>
> 21. William Davie."

In Vol. IV at page 28 of "Devon and Cornwall Notes and Queries" is the latin inscription on the tomb-stone of the Rev. William Buckland of Wolborough. The inscription is as follows:

"Hic
Tandem requiescit a laboribus suis
Gulielmus Buckland
Hujus parochiae Curatus plus annos 16
Qui
Post ineffabiles Miserias
Et pene infinitas Colluctationes
Cum approbrio Medicorum
Cecedit
Victima nil miserantis podagrae
Pridie calendas octibris
Anno Salutis 1760 Ætatis vero 47
Sum quod eris fuerim quod sis."

The Rev. William Buckland left a will, of which the following is an abstract:

> "The will of William Buckland, clerk, of Newton Abbot.
>
> "All lands and tenements in Devon and all goods and chattels to my dearly beloved wife and trusty brothers and friends Christopher Beeke of Kingsteignton and Thomas Hutton of North Bovey, clerks, to hold in trust for my wife and for maintenance of eldest son John, who is to take Holy Orders, until he shall be entered at one of the Universities, and of my three younger children Charles, Elizabeth and William till they are 21.

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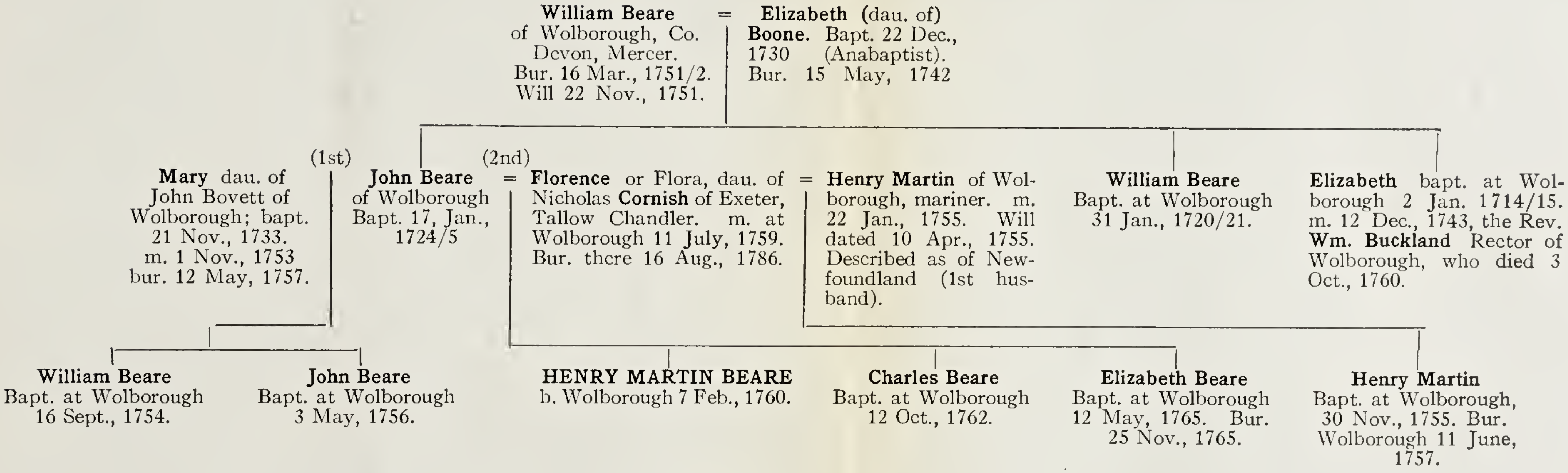
BEARE CHART

Showing Paternal Ancestry of Henry Martin Beare



William Beare of Wolborough, Co. Devon, Mercer. Bur. 16 Mar., 1751/2. Will 22 Nov., 1751.

= **Elizabeth** (dau. of) **Boone.** Bapt. 22 Dec., 1730 (Anabaptist). Bur. 15 May, 1742

(1st) **Mary** dau. of John Bovett of Wolborough; bapt. 21 Nov., 1733. m. 1 Nov., 1753 bur. 12 May, 1757.

John Beare of Wolborough Bapt. 17, Jan., 1724/5

(2nd) = **Florence** or Flora, dau. of Nicholas **Cornish** of Exeter, Tallow Chandler. m. at Wolborough 11 July, 1759. Bur. there 16 Aug., 1786.

= **Henry Martin** of Wolborough, mariner. m. 22 Jan., 1755. Will dated 10 Apr., 1755. Described as of Newfoundland (1st husband).

William Beare Bapt. at Wolborough 31 Jan., 1720/21.

Elizabeth bapt. at Wolborough 2 Jan. 1714/15. m. 12 Dec., 1743, the Rev. **Wm. Buckland** Rector of Wolborough, who died 3 Oct., 1760.

William Beare Bapt. at Wolborough 16 Sept., 1754.

John Beare Bapt. at Wolborough 3 May, 1756.

HENRY MARTIN BEARE b. Wolborough 7 Feb., 1760.

Charles Beare Bapt. at Wolborough 12 Oct., 1762.

Elizabeth Beare Bapt. at Wolborough 12 May, 1765. Bur. 25 Nov., 1765.

Henry Martin Bapt. at Wolborough, 30 Nov., 1755. Bur. Wolborough 11 June, 1757.

"This provision for my wife during her life is made upon condition that she shall within one calendar month of my death assure to Beeke and Hutton all that messuage and garden now in my possession, being in town and borough of Newton Abbot (being late the lands and inheritance of William Beare my late father-in-law deceased, who by his last will devised the same to my wife and her heirs) in trust for my wife for life and then to the use of my son John, his heirs and assigns for ever.

"The portion of each younger son to be £300 including what has been spent on maintainance and apprenticeship.

"Daughter's portion to be £300, the payment of these portions is to depend on the child being dutiful to its mother. If my wife refuses to make conveyance as above, all property to be held by Beeke and Hutton in trust for the four children, and any surplus over maintenance and education to be divided equally among my four children.

"To my four children all my books and pamphlets. My wife, said Christopher Beeke and Thomas Hutton to be executors,—unless my wife refuses to make the above conveyance in which case she is not to act either as trustee or executor."

Witnesses—John Bradford, George Whidborne,
Richard Ford.
Dated 17 September 1760.
Proved 13 October 1761.
(Exeter Probate Registry. Principal Court.)

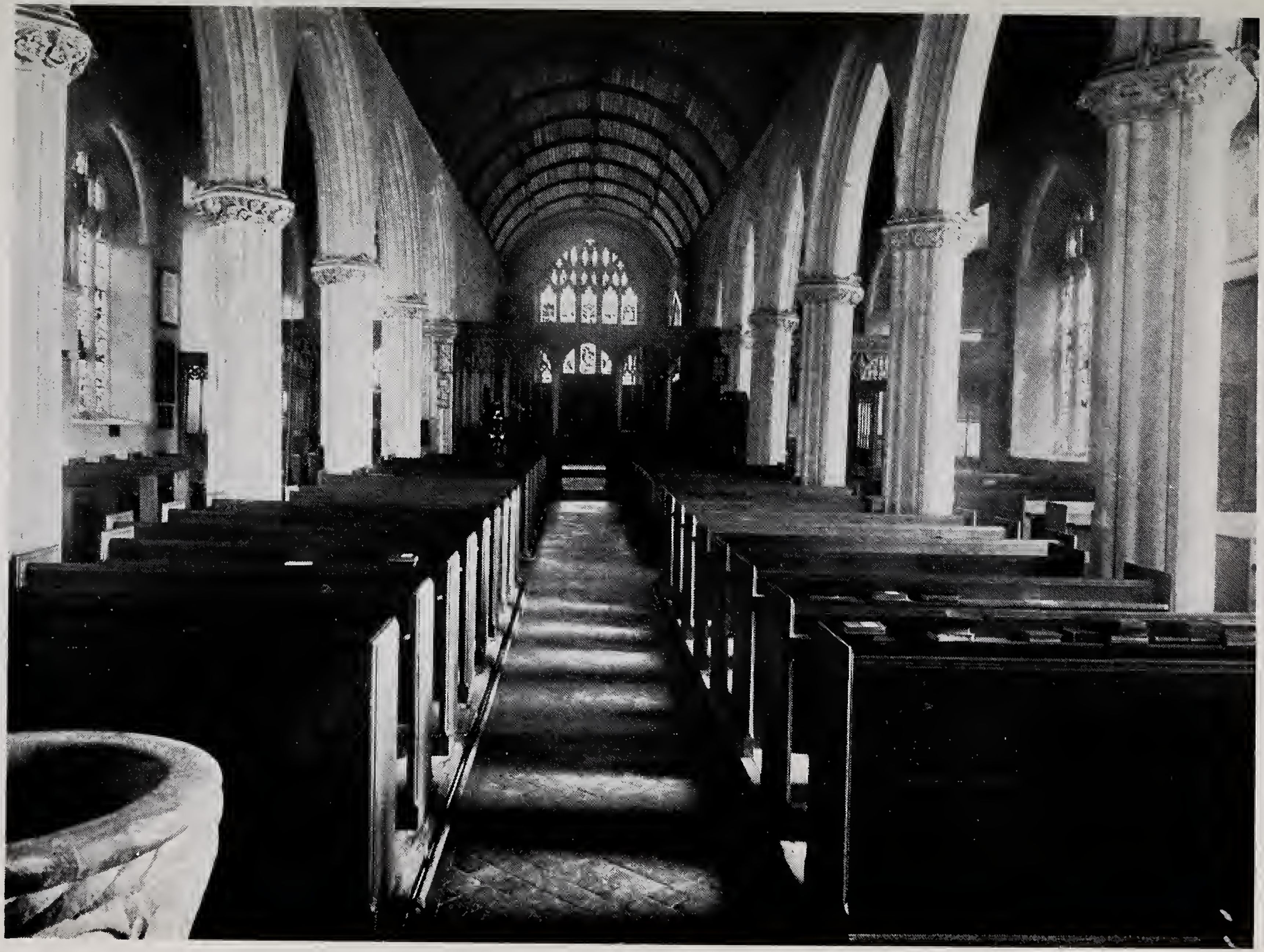
The Feet of Fines, Devon, 32 George II, Easter, No. 112, makes reference to a fine in reference to considerable property at Newton Abbot, Wolborough, and Kings Karswell, to which fine William Buckland was a party.

Wolborough Parish is situated in the Hundred of Haytor, the Archdeaconry of Totnes, and the Deaconry of Moreton. Wolborough Church, as its grant to the Abbey of Torre indicates, was originally a Roman Catholic Sanctuary and is said to have been the last church in Devonshire in which Mass was celebrated at the time of the Reformation. The church is dedicated to Saint Mary and was formerly served by one of the canons of Torre Abbey. The present edifice dates from the 15th century and stands on the site of the old church. It is in the perpendicular Gothic style of architecture, consisting of nave, aisles, small transept, chancel and a tower containing six bells. The chancel is separated from the body of the church by a screen of fine workmanship and is lighted by three Gothic windows ornamented with stained glass. By the north wall is an altar tomb to the memory of Sir Richard Reynell of Forde and his family representing Sir Richard in armor and Lady Lucy his wife. The screen is a very handsome specimen and is said to rank as ''the most interesting of the many fine specimens occurring throughout Devonshire generally, and more especially in the district between Exeter and Totnes''. The font is of red gritstone and is of the Norman type. It is supposed to be the only relic of the old church which survived the erection of the present edifice.

The Wolborough registers commence on November 15th, 1558, in the first year of Queen Elizabeth's reign. In 1657-8-9 marriages were not registered but entries were made of the receipt of agreements of marriage. After 1660 marriage entries were made in the old form. The first baptism in the register took place in 1558; from 1653 to 1659 births are entered, baptisms again being registered from 1660. Burials were registered in 1668, as were also marriages. (See ''Newton Abbot, Its History and Development'' by A. J. Rhodes, M. J. I.; ''History of Newton Abbot'', and Worthy's ''Devonshire Parishes''.)

2. William Beare, the second child of William and Elizabeth (Boone) Beare was baptized at Wolborough January 31st, 1720/21.

3. John Beare, third child of William and Elizabeth (Boone) Beare, was baptized at Wolborough Parish Church



INTERIOR, WOLBOROUGH PARISH CHURCH

January 17th, 1724/5. He was of the parish of Wolborough but he is also referred to in 1766 as possessing freehold estates at Newton Abbot consisting of a messuage, garden, and malt house. He is also referred to as of "Parish of St. Bridget, otherwise St. Bride's, London", and is described as a gentleman and also as malster. On November 1st, 1753, when about twenty-nine years old, he married Mary Bovett, daughter of John Bovett, of Wolborough. She was baptized November 21st, 1733. John Beare was married to his first wife by his brother-in-law the Rev. William Buckland. The Diocesan Registry, Exeter, contains the bond of John Beare when he obtained this license to marry. It is as follows:

> "Bond dated 30 October 1753 of Mr. John Beare of Newton Abbot in the parish of Wolborough co. Devon, gent., and John Sloman of the same, Malster, in the sum of £200.
>
> "The condition being that if there shall not hereafter appear any lawful lett or impediment . . . but that the above-bounden John Beare and Mary Bovet of Newton Abbot, spinster, may lawfully marry together . . . and that they cause their marriage to be openly solemnized in the face of the parish church of Wolborough then this obligation shall be void.
>
> Witness, Henry Nosworthy",

By his first wife John Beare had two children: (1) William Beare, born 1754, baptized at Wolborough September 16th, 1754; and (2) John Beare, baptized at Wolborough May 3rd, 1756. His first wife, Mary Bovett Beare, died of smallpox and was buried at Wolborough November 12th, 1757. The following is the application for license to marry Flora (Cornish) Martin, widow, which is contained in the Diocesan Registry, Exeter:

> "John Beare of Newton Abbott in the parish of Woolborough, malster, maketh oath that he and Flora Martin of the same, with whom he prays licence to be

married, are both in widowhood, and that he hath had his usual abode within the said parish of Woolborough, for upwards of four weeks immediately preceeding the date hereof.

John Beare.

Dated, 23 June 1759.

Let a licence pass the seal, the said John Beare having been sworn before me.

Ja. Carrington."

In a Bill of Complaint which he filed in Chancery November 9th, 1766, against Thomas Burdell of Newton Abbot and John Bradford, a surgeon of the same place, it appears that a treaty of marriage was entered into July, 1758, between John Beare and Flora Martin. The Bill in Chancery recites the conveyance in August, 1758, to Burdell and Bradford of certain property upon the trusts therein specified. The Bill of Complaint also recites that the marriage between John Beare and Flora Martin had taken place, and that in 1766 there had been three children born of that marriage. The marriage took place at Wolborough Parish Church July 11th, 1759. The ceremony was performed by the Rev. William Buckland, the Vicar of the parish, who was also brother-in-law of John Beare. The parish registers of Wolborough contain the following entry which was signed by John Beare and Flora Martin, by the Rector of the Parish and by the witnesses whose names are attached:

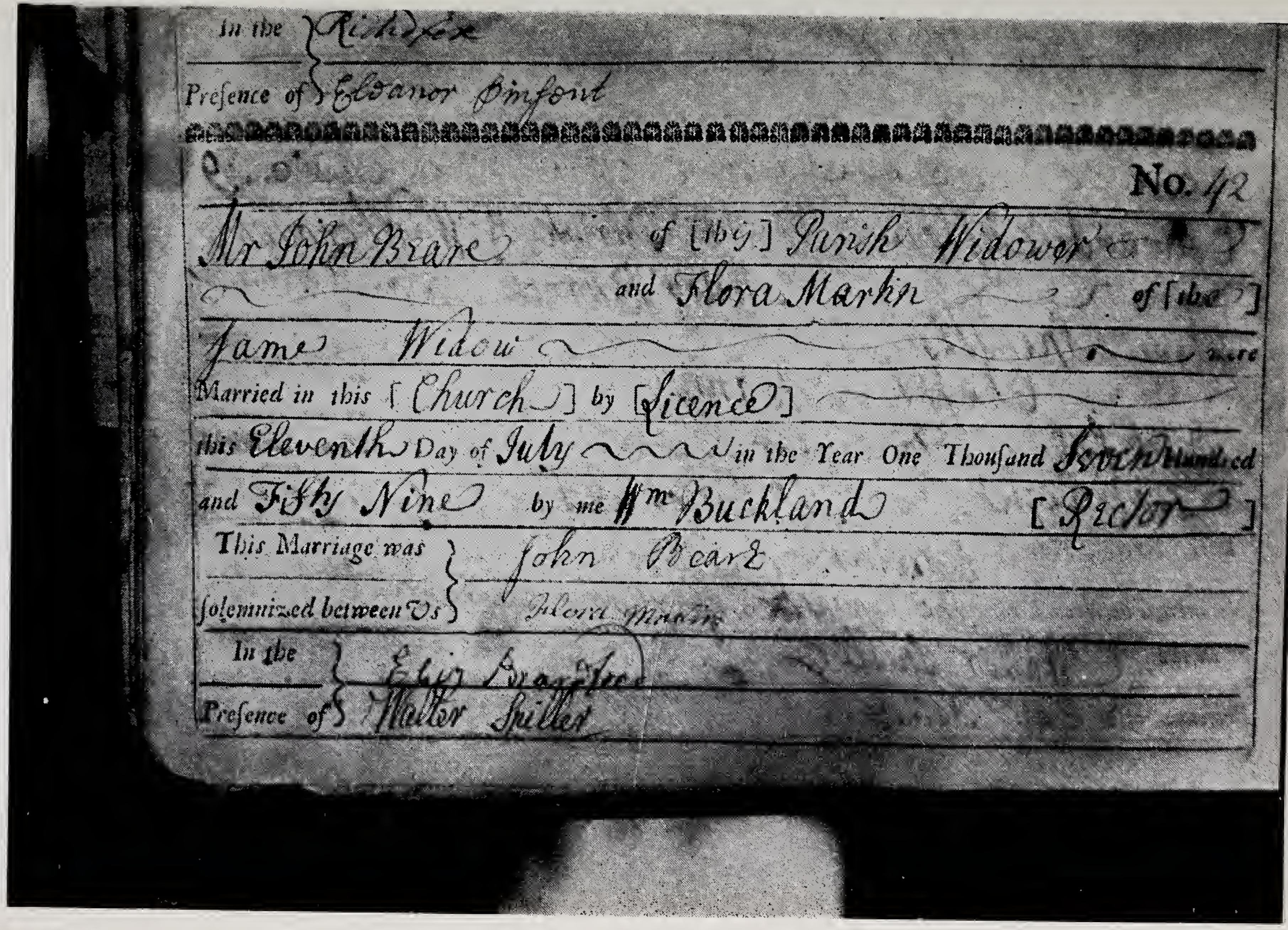
"No. 42

Mr. John Beare of (this) parish, widower and Flora Martin of (the) same widow were married in this (church) by (licence) this eleventh day of July—in the year one thousand seven hundred and fifty-nine by me Wm. Buckland (Rector)

This marriage)
was solemnized) John Beare
between us) Flora Martin

In the) Eliz. Bradford
presence of) Walter Spiller"

1487967



In the } Rich fox
Preſence of } Eleanor Pinfont

No. 42

Mr John Beare of [this] Parish Widower
and Flora Martin of [the]
Same Widow were
Married in this [Church] by [Licence]
this Eleventh Day of July in the Year One Thouſand Seven Hundred
and Fifty Nine by me Wm Buckland [Rector]

This Marriage was } John Beare
ſolemnized between Us } Flora Martin

In the } Eliz Brangtree
Preſence of } Walter Spiller

PHOTOGRAPH OF MARRIAGE CERTIFICATE OF JOHN BEARE AND FLORA MARTIN

From Register of Wolborough Parish Church

The Chancery Bill of Complaint has played so important a part in the discovery of the names of the parents of Henry Martin Beare, that we set out herein the substance of it. There are no other papers filed in this suit other than the two set out below:

"C 12. Bundle 1304. Beare v. Burdell.

Date 19 Nov. 1766 Bill of Complaint.

Date 11 Dec. 1766 Affidavit.

John Beare of parish of St. Bridget otherwise Brides London Gentleman also in the document described as "maltster" v. Thomas Burdell and John Bradford.

The Plaintiff says that in 1758 he addressed himself by way of marriage to Flora Martin of Newton Abbot co. Devon widow and at that time he was possessed of a freehold estate of inheritance in Newton Abbot consisting of a messuage garden & Malthouse and Flora Martin was then possessed of 2 plantations at Newfoundland in America. In the month of July 1758 a treaty of marriage was had between the said John Beare and Flora Martin and they agreed between them that Plaintiff's messuage &c. at Newton Abbot and the said 2 plantations should be vested in Trustees for the benefit of John and Flora for their lives and then to the use of the issue of the marriage. And they selected Thomas Burdell of Newton Abbott gentleman and John Bradford of the same place surgeon as Trustees. In August 1758 by Indentures of Lease and Release between John and Flora of the 1st and 2nd parts and Burdell and Bradford of the 3rd part John and Flora did bargain and sell to them the said premises and plantation by Indenture of the day before the date of the said recited Indenture and all their right and title to them. To hold the same to Burdell and Bradford and their heirs to the uses therein specified until the solemnization of the marriage and after the solemnization then to John and Flora for their lives and of the longest liver and after their deaths to their heirs of their bodies and in default of such to plaintiff's heirs and assigns for ever. Soon after the deed was entered into the marriage was solemnized and Burdell and Bradford took upon them the said trusts and have in their possession the said deeds. John and Flora had issue 3 children and in the last war John Beare was absent from his family in his Majesty's navy and since his arrival in England he has several times applied by himself and friends to Burdell and Bradford for a counterpart or true copy of the Trust Deed but they, with other persons at present unknown, have confederated to defraud plaintiff in the premises and refuse to give him a duplicate of the Trust Deed sometimes pretending that he (John) was not and sometimes admitting that he was at any time seised of any freehold messuage at Newton Abbott and that Flora was not at any time possessed of 2 plantations at Newfoundland in America and refused to give plaintiff the issues and profits. Defendants also give out that no Treaty of Marriage was at any time on foot nor was there such deed of settlement or any other deed etc. In consideration whereof and forasmuch as plaintiffs witnesses who could and would prove the truth of the matter are either dead or gone into parts beyond the seas so that one cannot have the benefit of their testimony may it please your Lordship to grant writs of Subpoena to be directed to the Defendants commanding them at a certain day personally to appear and give answer to all the premises.

(Signed) Samuel Cox
November 15th 1766"

"In Chancery

Between John Beare Plaintiff

–and–

Thomas Burdell & John Bradford
Defendants

John Beare the Plaintiff in this Cause maketh Oath and saith that he hath not any Deeds or Copys of Deeds, sought for by his Bill of Complaint, in his Custody or power, which said Deeds are in the Possession of the said Thomas Burdell or John Bradford as this Deponent believes

John Beare

Sworn at the Publick Office
the 17th day of November
1766

before
R. Edwards

Re-sworn at the Public Office
the 11th of Decr 1766 before me
Tho. Lane"

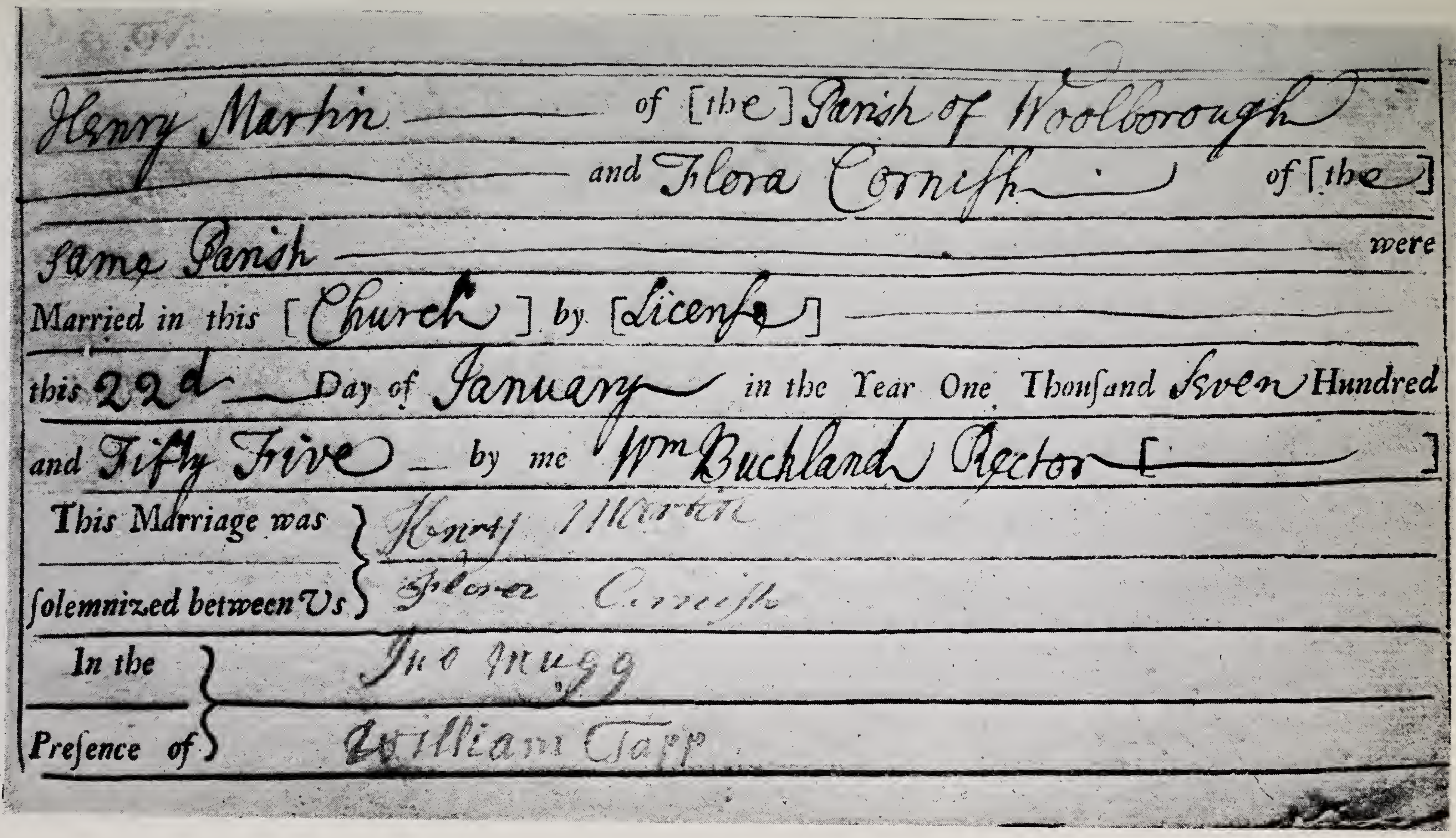
The information given above, and which is referred to in the annexed Beare chart, is all which has been found as to the paternal ancestors of Henry Martin Beare. Of his maternal ancestors, the record is more complete. His mother, Florence Cornish, was the daughter of Nicholas and Mary (Cradock)

Cornish of Exeter. She was born 1727. She married first Henry Martin, January 22nd, 1755. The following is the record contained in the Diocesan Registry, Exeter, of the marriage license of Henry Martin and Florence Cornish.

> "Bond dated 1 January 1755, of Henry Martin of Woolborough, mariner, and Nicholas Cornish of St. Thomas the Apostle, chandler, in £200.
> Condition that the abovesaid Henry Martin and Florence Cornish of Woolborough, spinster, shall marry at Woolborough.
>
> Signatures of Bondmen.
> Witness, John Beare.
>
> Nicholas Cornish of St Thomas the Apostle, co. Devon, chandler, maketh oath that Henry Martin of Woolborough, mariner, and Florence Cornish of the same, spinster, with whom the said Henry prays licence to be married, are respectively of the age of 21 years each, and that the said Florence hath had her usual abode within the parish of Woolborough for four weeks and upwards immediately preceeding the date hereof, 1 January 1755."

The following entry as to the marriage of Henry Martin and Florence Cornish appears in the Parish Register of the Church at Wolborough:

> "Henry Martin of (the) Parish of Woolborough and Flora Cornish of (the) same Parish were married in this (Church) by (License) this 22d day of January in the Year One Thousand Seven Hundred and Fifty Five by me, Wm. Buckland, Rector.
>
> This Marriage was) Henry Martin
> solemnized between)
> us) Flora Cornish
>
> In the Presence) Jno. Mugg
>)
> of) William Tapp"



Henry Martin —— of [the] Parish of Woolborough

—— and Flora Corniſh —— of [the]

ſame Pariſh —— were

Married in this [Church] by [Licenſe] ——

this 22d Day of January in the Year One Thouſand ſeven Hundred

and Fifty Five — by me Wm Buckland Rector [——]

This Marriage was } Henry Martin

ſolemnized between Us } Flora Corniſh

In the } Jno Mugg

Preſence of } William Clapp

PHOTOGRAPH OF MARRIAGE CERTIFICATE OF HENRY MARTIN AND FLORA CORNISH

From Register of Wolborough Parish Church

Henry Martin died between 1755, when his will is dated and April 19th, 1758 when his will was proved. He was a mariner and is described as of Petty Harbour, Newfoundland. An abstract of his will is as follows:

> "All and every such wages and sums of money, lands, tenements, goods, chattels and estate whatsoever as shall be owing or belonging unto me at the time of my decease I give and bequeath to my loving wife Flora Marten now in Newton Abbot in the parish of Woolbrugh, co. Devon.
> To my sister Elizabeth Gray 1^s to be paid in one year after my decease.
> I make Flora Marten my wife my whole and sole executrix, I also give and bequeath to her four boat rooms in Petty Harbour in Newfoundland, lying at the head of the harbour commonly called by the name of the Island Stages and lying between M^r Newman's Plantation and William Weebs, and also one skiff room or stage lying between John Chafe's and Esq^r. Canes all in the South side of the Harbour.
>
> Witnesses, John Stephens, Mary Stephens, Thomas Chead.
> Mark of Henry Marten.
>
> Dated, 10 April 1755.
> Proved, 19 April 1758."
>
> (Prerogative Court of Canterbury. Hutton. f. 122.)

No record of the place of Henry Martin's death has been found. He probably died at Petty Harbour, Newfoundland. Under his will whatever property he had, with the exception of one shilling which he gave to his sister, Elizabeth Gray, passed to his widow, who subsequently became the second wife of John Beare. That he had property at Newfoundland appears from his will, which gives to his wife:

> "Four boat rooms in Petty Harbour in Newfoundland, lying at the head of the harbour commonly called

> by the name of the Island Stages and lying between Mr. Newman's plantation and William Weebs, and also one skiff room or stage lying between John Chafe's and Esqr. Canes, all on the south side of the harbour.''

It is to this property that John Beare's Bill of Complaint in Chancery of 1766 makes reference in the allegation that his wife at the time of his marriage to her:

> ''was then possessed of 2 plantations at Newfoundland in America''.

Whatever this property was, it passed on the death of Henry Martin to his widow Flora, and upon her marriage to John Beare, it passed to him.

Perhaps the reason why no record has been discovered of the death of John Beare in England is that, after the Chancery suit was commenced, he went to Newfoundland to realize upon his wife's interest in that property and died there.

During the 18th century and early part of the 19th, Newton Abbot did a large trade in connection with the Newfoundland fisheries and exported also large quantities of boots and shoes for which payment was received in fish. The practice of those bound for Newfoundland was to ship for two summers and one winter. The agreements with the shipping agents were signed at one time at the Dartmouth Inn in Newton Abbot, which is said now to be at least two hundred and fifty years old, and subsequently at the Newfoundland Inn, which was built about seventy-five years later. Both Henry Martin and John Beare must have been familiar with these places. Knives and fishing hooks also were manufactured in Newton Abbot, for export to Newfoundland, and the American fishermen are said to have preferred them to those of any other manufacture. This trade was conducted through Teignmouth and Dartmouth, until it waned with the advent of the steamships which sailed from other ports.

Henry and Florence (Cornish) Martin had a son, Henry Martin, baptized at Wolborough November 30th, 1755, who in 1757 died and was buried there on June 11th, 1757.

Florence Martin, whose second marriage was to John Beare, was probably a descendant of Nicholas Cornish, a yeoman of Heavitree, Devon, who was living in 1612, through his son, Richard, who had a lease of land in Parsloe in Exeter in 1612. This Richard Cornish was probably the father of Nicholas Cornish of Exeter who was the first person of that name who we can assert with certainty was the ancestor of Florence Cornish. This **Nicholas Cornish** was a Freeman of Exeter. He was also a mason. He married as his first wife, Elizabeth, and by her had three children, Nicholas, Richard, and Elizabeth, who are shown on the accompanying chart and none of whom was the ancestor of Florence Cornish. Nicholas Cornish married secondly **Grace Jeffery**. This marriage was solemnized at Exeter Cathederal 27th July 1657. By his second wife Nicholas Cornish had eight children who are referred to on the accompanying Cornish chart. Nicholas Cornish married thirdly, Charity, by whom he had no issue. He died in 1694 and was buried at St. David's, Exeter, 24th November 1694. His will is dated 13th June 1693, and was proved 26th November 1695. An abstract of his will is as follows:

> "To my well beloved wife Charity Cornish my tenement or dwelling house, orchard and garden, wherein I now live in the parish of St. David's for her life, and after her death to my son Abraham Cornish and his heirs for ever, but for want of issue of his body then in such case I bequeath same to my grandson George Cornish, son of my son John Cornish, late deceased, and to his heirs and assigns for ever.
>
> "To my said son Abraham and his heirs for ever all my other lands, messuages and tenements in the parish of St. Davids.

"To my said wife the two cawdle cupps which were given her by Mr. Bartholomew Anthony and Mrs. Elizabeth Hayne, together with 3 silver spoons given her by the said Mrs. Elizabeth Hayne's children and £10 in money, and my standing bedstead . . .

"To my said wife all my tenement or dwelling house, cellers and outhouses on Exebridge in the parish of St. Edmonds, late in the possession of the widow Browne and now in the possession of one . . . Turner, taylor, and Richard Wood, fuller, for her life (in case my estate therein so long endure) and after her death I bequeath the same to my said son Abraham Cornish for remainder of my term therein.

"To my said wife the reasonable use of half of all my household goods for her life, and after to my son Abraham. To my daughter Rebecca Stanbury £8 per annum for life to be paid unto or laid out for her, as she shall have need, by my executor.

"To my grandson George Cornish 20s.

"The residue to my son Abraham he to be executor."

Witnesses. Thomas Woodward, Anna Roper, Jonathan Carver, junior.

Dated 13 June 1693.
Proved 26 November 1695.
Mark and seal (heraldic) Lion and unicorn. ?
On scroll below "possedisse."

(Exeter Probate Registry, Archdeaconry of Exeter.)

Of the eight children of Nicholas Cornish by his second wife, Grace Jeffery, the third was:

Abraham Cornish, who was baptized at St. David's, Exeter, 18th December 1664. He was admitted Freeman of Exeter by heirship 14th March 1698. He was a chandler. He was buried at St. Paul's, Exeter, 26th January 1725/6. He married **Ann**, whose surname is not known. Abraham and Ann Cornish had seven children, all of whom are referred to on the Cornish chart. His eldest son was:

Ann Cornish Bapt. at St. David's, 20 Jan., 1666/7. Died young.

Rebecca Cornish = **—— Stanbury** Bapt. at St. David's, 14 May, 1668. (Surveys 1687,1688,1700, 1725).

Grace Cornish Bapt. at St. David's, 6 Mar., 1673/4. Died young.

Margaret, dau. of ——— ———. Bur. at St. Pauls 30 Mar., 1749.

John Cornish Bapt. at St. Petrock 16 Jan., 1703/4. Bur. at St. Davids 15 June, 1705.

John Cornish Bapt. at St. Petrock 8 Sept., 1706.

Grace Cornish Bapt. at St. Petrock 11 Apr., 1700.

ah Cornish 27 Sept., 35; bapt. at . Paul's 12 t. 1735.

Grace Cornish Bapt. at St. Paul's 11 Nov., 1737.

Ann Cornish b. 24 May, 1740.

Abraham Cornish

Joseph Cornish Bapt. at St. Paul's 14 Jul. 1747.

Elizabeth Cornish

"To my said wife the two cawdle cupps which were given her by Mr. Bartholomew Anthony and Mrs. Elizabeth Hayne, together with 3 silver spoons given her by the said Mrs. Elizabeth Hayne's children and £10 in money, and my standing bedstead . . .

"To my said wife all my tenement or dwelling house, cellers and outhouses on Exebridge in the parish of St. Edmonds, late in the possession of the widow Browne and now in the possession of one . . . Turner, taylor, and Richard Wood, fuller, for her life (in case my estate therein so long endure) and after her death I bequeath the same to my said son Abraham Cornish for remainder of my term therein.

"To my said wife the reasonable use of half of all my household goods for her life, and after to my son Abraham. To my daughter Rebecca Stanbury £8 per annum for life to be paid unto or laid out for her, as she shall have need, by my executor.

"To my grandson George Cornish 20s.

"The residue to my son Abraham he to be executor."

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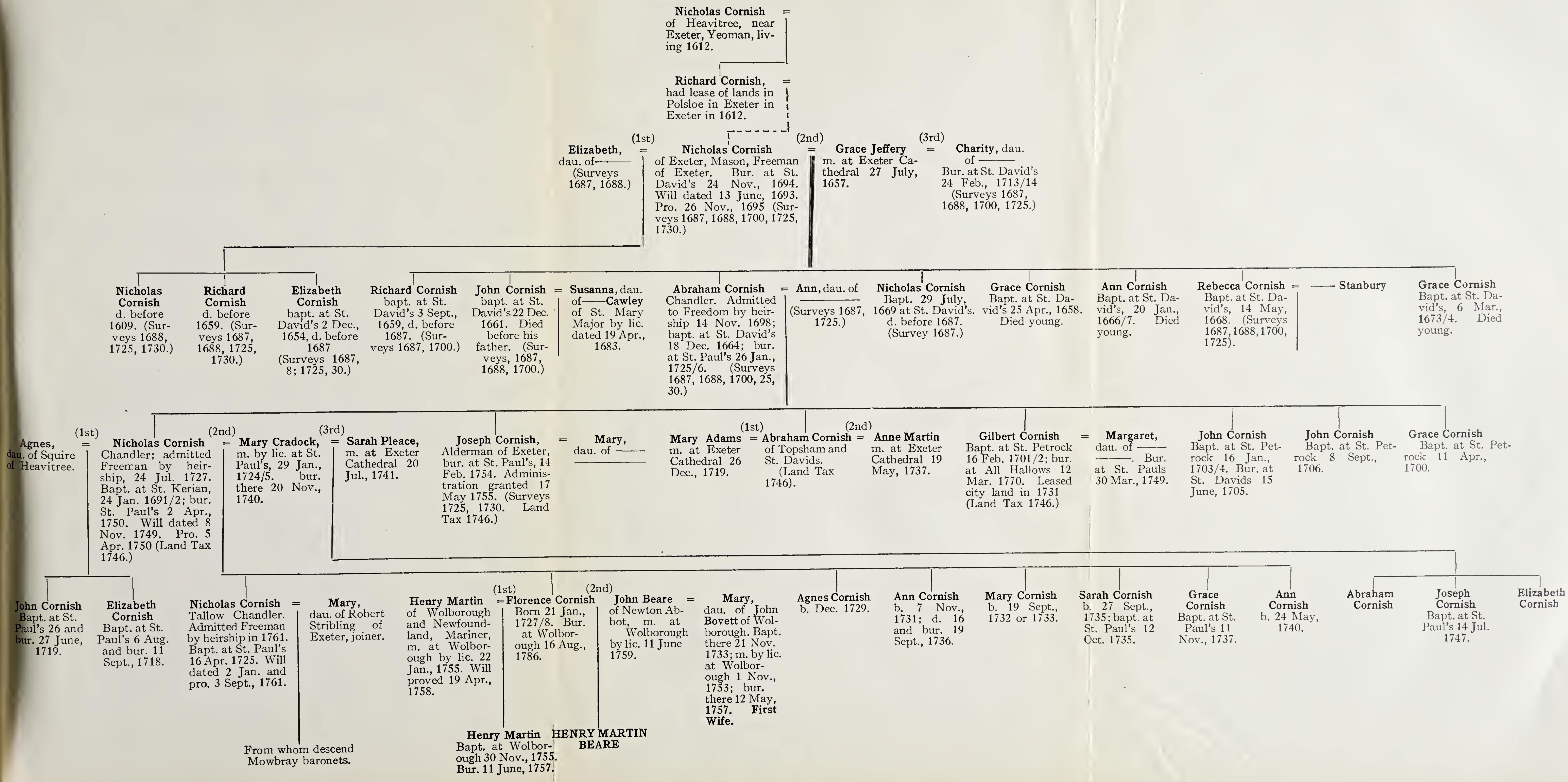
CORNISH CHART

Showing Maternal Ancestry of Henry Martin Beare



Nicholas Cornish = of Heavitree, near Exeter, Yeoman, living 1612.

Richard Cornish, = had lease of lands in Polsloe in Exeter in Exeter in 1612.

Elizabeth, dau. of——— (Surveys 1687, 1688.) (1st) = **Nicholas Cornish** of Exeter, Mason, Freeman of Exeter. Bur. at St. David's 24 Nov., 1694. Will dated 13 June, 1693. Pro. 26 Nov., 1695 (Surveys 1687, 1688, 1700, 1725, 1730.) (2nd) = **Grace Jeffery** m. at Exeter Cathedral 27 July, 1657. (3rd) = **Charity,** dau. of ——— Bur. at St. David's 24 Feb., 1713/14 (Surveys 1687, 1688, 1700, 1725.)

Nicholas Cornish d. before 1609. (Surveys 1688, 1725, 1730.)

Richard Cornish d. before 1659. (Surveys 1687, 1688, 1725, 1730.)

Elizabeth Cornish bapt. at St. David's 2 Dec., 1654, d. before 1687 (Surveys 1687, 8; 1725, 30.)

Richard Cornish bapt. at St. David's 3 Sept., 1659, d. before 1687. (Surveys 1687, 1700.)

John Cornish bapt. at St. David's 22 Dec. 1661. Died before his father. (Surveys, 1687, 1688, 1700.) = **Susanna,** dau. of——**Cawley** of St. Mary Major by lic. dated 19 Apr., 1683.

Abraham Cornish Chandler. Admitted to Freedom by heirship 14 Nov. 1698; bapt. at St. David's 18 Dec. 1664; bur. at St. Paul's 26 Jan., 1725/6. (Surveys 1687, 1688, 1700, 25, 30.) = **Ann,** dau. of ——— (Surveys 1687, 1725.)

Nicholas Cornish Bapt. 29 July, 1669 at St. David's. d. before 1687. (Survey 1687.)

Grace Cornish Bapt. at St. David's 25 Apr., 1658. Died young.

Ann Cornish Bapt. at St. David's, 20 Jan., 1666/7. Died young.

Rebecca Cornish = —— Stanbury Bapt. at St. David's, 14 May, 1668. (Surveys 1687, 1688, 1700, 1725).

Grace Cornish Bapt. at St. David's, 6 Mar., 1673/4. Died young.

Agnes, dau. of Squire of Heavitree. (1st) = **Nicholas Cornish** Chandler; admitted Freeman by heirship, 24 Jul. 1727. Bapt. at St. Kerian, 24 Jan. 1691/2; bur. St. Paul's 2 Apr., 1750. Will dated 8 Nov. 1749. Pro. 5 Apr. 1750 (Land Tax 1746.) (2nd) = **Mary Cradock,** m. by lic. at St. Paul's, 29 Jan., 1724/5. bur. there 20 Nov., 1740. (3rd) = **Sarah Pleace,** m. at Exeter Cathedral 20 Jul., 1741.

Joseph Cornish, Alderman of Exeter, bur. at St. Paul's, 14 Feb. 1754. Administration granted 17 May 1755. (Surveys 1725, 1730. Land Tax 1746.) = **Mary,** dau. of ———

Mary Adams m. at Exeter Cathedral 26 Dec., 1719. (1st) = **Abraham Cornish** of Topsham and St. Davids. (Land Tax 1746). (2nd) = **Anne Martin** m. at Exeter Cathedral 19 May, 1737.

Gilbert Cornish Bapt. at St. Petrock 16 Feb. 1701/2; bur. at All Hallows 12 Mar. 1770. Leased city land in 1731 (Land Tax 1746.) = **Margaret,** dau. of ———. Bur. at St. Pauls 30 Mar., 1749.

John Cornish Bapt. at St. Petrock 16 Jan., 1703/4. Bur. at St. Davids 15 June, 1705.

John Cornish Bapt. at St. Petrock 8 Sept., 1706.

Grace Cornish Bapt. at St. Petrock 11 Apr., 1700.

John Cornish Bapt. at St. Paul's 26 and bur. 27 June, 1719.

Elizabeth Cornish Bapt. at St. Paul's 6 Aug. and bur. 11 Sept., 1718.

Nicholas Cornish Tallow Chandler. Admitted Freeman by heirship in 1761. Bapt. at St. Paul's 16 Apr. 1725. Will dated 2 Jan. and pro. 3 Sept., 1761. = **Mary,** dau. of Robert Stribling of Exeter, joiner.

From whom descend Mowbray baronets.

Henry Martin of Wolborough and Newfoundland, Mariner, m. at Wolborough by lic. 22 Jan., 1755. Will proved 19 Apr., 1758. (1st) = **Florence Cornish** Born 21 Jan., 1727/8. Bur. at Wolborough 16 Aug., 1786. (2nd) **John Beare** = of Newton Abbot, m. at Wolborough by lic. 11 June 1759. **Mary,** dau. of John **Bovett** of Wolborough. Bapt. there 21 Nov. 1733; m. by lic. at Wolborough 1 Nov., 1753; bur. there 12 May, **1757. First Wife.**

Henry Martin Bapt. at Wolborough 30 Nov., 1755. **Bur. 11 June, 1757.**

HENRY MARTIN BEARE

Agnes Cornish b. Dec. 1729.

Ann Cornish b. 7 Nov., 1731; d. 16 and bur. 19 Sept., 1736.

Mary Cornish b. 19 Sept., 1732 or 1733.

Sarah Cornish b. 27 Sept., 1735; bapt. at St. Paul's 12 Oct. 1735.

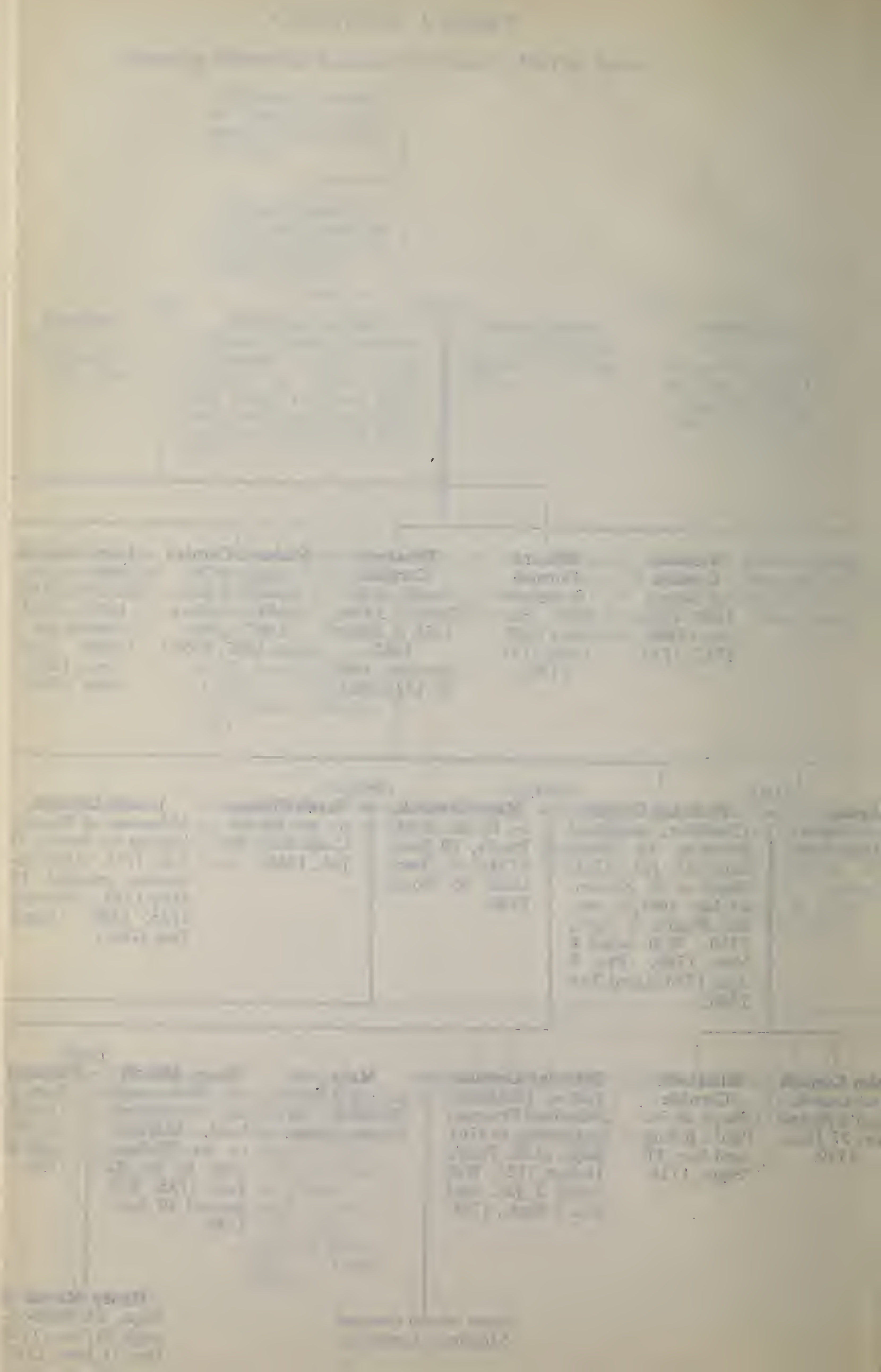
Grace Cornish Bapt. at St. Paul's 11 Nov., 1737.

Ann Cornish b. 24 May, 1740.

Abraham Cornish

Joseph Cornish Bapt. at St. Paul's 14 Jul. 1747.

Elizabeth Cornish



Nicholas Cornish, who was baptized at St. Kerrian's in Exeter 24th January, 1691/2. He was admitted Freeman of Exeter by heirship 24th July 1727. Like his father he was a chandler by trade. He married for his first wife Agnes Squire of Heavitree and by her had a son and daughter named in the Cornish chart. Nicholas Cornish married for his second wife **Mary Cradock**. He was married by license at St. Paul's 29th January 1724/5. Mary Cradock Cornish died in 1740 and was buried at St. Paul's Exeter, 20th November 1740. Nicholas Cornish, her husband, married for his third wife Sarah Pleace, at Exeter Cathedral 20th July 1741, and by her had three children, named on the Cornish chart. Nicholas Cornish died 1750 and was buried at St. Paul's, Exeter, 2nd April, 1750. His will is dated 8th November 1749, and was probated 5th April 1750. An abstract of his will is as follows:

> "To my eldest son Nicholas Cornish my silver watch, neck buckle and shoe buckles and £5, within six months after my decease.
>
> To my daughter Florence Cornish £10, within six months after my decease.
>
> To all the rest of my children, Agnes, Mary, Sarah, Ann, Elizabeth, Abraham and Joseph Cornish £10 each to be paid at their respective ages of 21.
>
> The residue of my goods and stock in trade to my wife Sarah Cornish, and I likewise give her my house wherein I now live in the parish of St. Pauls in the city of Exeter, which I hold during the life of my youngest son Joseph Cornish, and after her death, provided the said Joseph Cornish be living, I devise the same to my said son Nicholas.
>
> I likewise make my wife sole executrix, provided she takes care to maintain five of my youngest children, Sarah, Ann, Elizabeth, Abraham and Joseph until they are able and fitting to be bound apprentice to some trade or business.
>
> Witnesses, Caleb Cann, Robert Russell.

Signature of testator, and seal—dove and olive branch.

Dated, 8 November 1749.
Proved, 5 April 1750.
(Exeter Probate Registry. Archdeaconry Court of Exeter.)

By his second wife, Mary Cradock Cornish, Nicholas Cornish had one son, named Nicholas, and seven daughters. His second child and eldest daughter by that marriage was:

Florence Cornish, the mother of Henry Martin Beare. Her birth is recorded in the Cornish family Bible, which is now in the possession of Mrs. Francis E. Baker, who lives with her sister, Miss Cornish, in her own house called "The Lodge" at St. David's Hill, Ottery St. Mary, Devon. The first entry in it is the birth of Nicholas Cornish in 1725, who was Mrs. Baker's great grandfather and who was the brother of Florence Cornish, the mother of Henry Martin Beare. Through her courtesy, a photograph was obtained of the page of this family Bible which records the names of the children of Nicholas and Mary (Cradock) Cornish. The page shows that Florence Cornish was born 21 January 1727 (line 8). The following are entries in this family Bible:

First page.

"Nicholas Cornish his book 1724.

Remember thy Creator in y^e days of thy Youth.

Nicholas Cornish his book 1724.

Envy thou not y^e Oppressours prosperous days
but be Content & Learn none of his ways.

Nicholas Cornish Grandson of the above
His Book 1812 Ætat 24 Sep. 16th.

Second page.

> Nicholas Cornish Born April 8th. 1725.
> Florence Cornish Born January 21st. 1727.
> Agnes Cornish Born December vth 1729.
> Ann Cornish Born November 7th. 1731.
> Mary Cornish Born September 19th. 1732 (?1733).
> Sarah Cornish Born September 27th. 1735.
> An Cornish Born May 24 1740.
> September y^{e} 16th. 1736 Ann Cornish Died and was bured y^{e} 19th. 1736"

Concerning this family Bible, Mrs. Baker writes that it is:

> "a very old New Testament which belonged to Nicholas Cornish in 1724, our great great grandfather. The Testament was a translation by Dr. W. Fvlke in 1617. It was dedicated in the original edition to Queen Elizabeth. The first entry in the book is the birth of my great grandfather, Nicholas Cornish, in 1725. The second entry is that of Florence Cornish in 1727. His was a large family, their names are in the Registry of St. Paul's Cathedral. He possessed property in the parish, two courts on the City wall called by his name. His grandfather, another Nicholas, lived in St. David's parish, Exeter, where he lived in his own house on St. David's Hill***."

These facts, and the accompanying Cornish chart, constitute such information as has been obtained about the ancestry of Florence Cornish, the mother of Henry Martin Beare.

The children of John and Florence (Cornish) Beare were:

(1) Henry Martin Beare, a sketch of whose life appears in Chapter IV.

(2) Charles Beare, born 1762, baptized at Wolborough Parish Church October 12th, 1762;

(3) Elizabeth Beare, born 1765, and baptized at Wolborough Parish Church May 12th, 1765. She died in the same

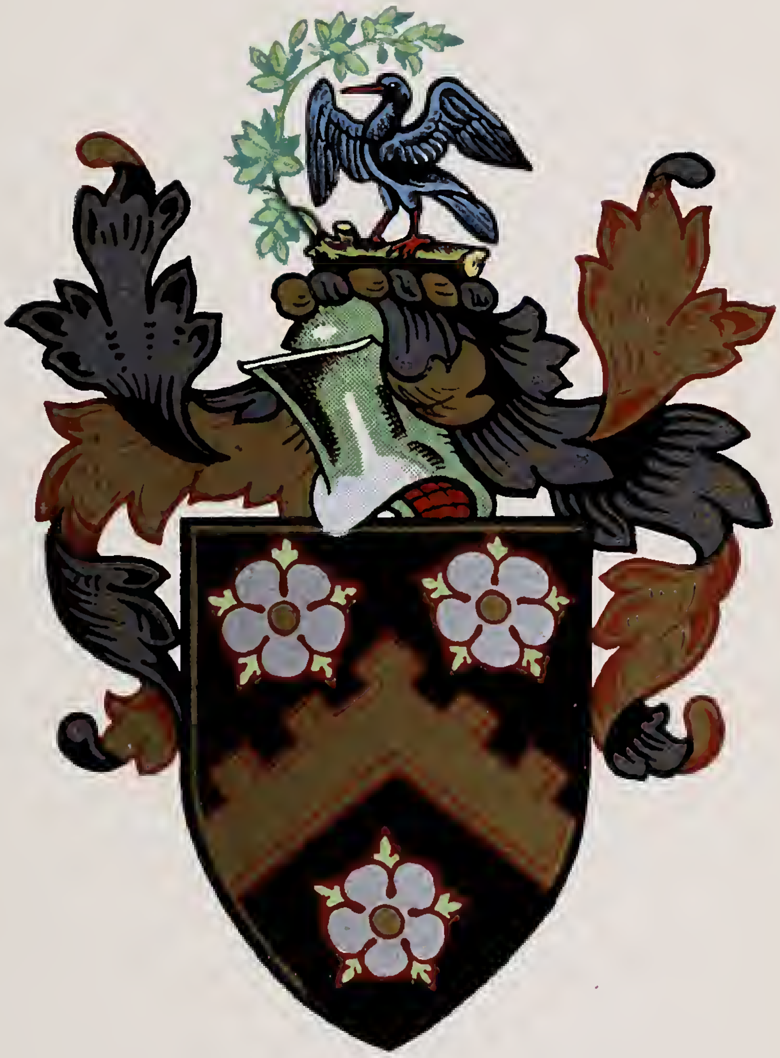
year she was born and was buried at Wolborough November 25th, 1765.

Mrs. Florence (Cornish) Beare died and was buried at Wolborough August 16th, 1786.

There is some discrepancy in the records as to the exact date of Florence Cornish's birth, caused by the fact that in the application for a license to marry Henry Martin, her brother, Nicholas Cornish, stated that she and Henry Martin were ''respectively of the age of 21 years each.'' This affidavit is dated January 1st, 1755, and if intended to show more than that they were both over 21 years, would mean that she was born in 1734. The Wolborough Parish Register, however, records her burial on August 16th, 1786, at the age of fifty-five years, which would mean that she was born in 1731. The question, however, seems definitely settled by the entry in the Cornish family Bible, which records her birth on January 21st, 1727.

In 1903, the Rev. James T. Houssemayne Du Boulay, D. D., printed, through Warren & Son of Winchester, ''Notes to accompany A Pedigree of the Family of Cornyshe of Thurlestone, in the County of Devon''. This monograph traces only the Cornishes of Thurlestone but by way of introduction makes brief reference to other families of the name of Cornish, *i. e.,* those of East Portlemouth, of Bishop Thomas Cornysh, of Nicholas Cornish of Exeter, of Cornish of Tavistock, of Sir Samuel Cornish, Bart., of Sharnbrook, and of Cornish of Tiverton, co. Devon. In speaking of the family of Cornish resident in Exeter, the learned author says:

> ''The family of Cornish resident in Exeter, from at least 1676 to the middle of last century, has no probable point of connection with the Thurlestone family. The late Right Hon. Sir John Robert Mowbray, Bart., by birth a Cornish, is the most distinguished of its members, amongst whom were also the Rev. Sidney Cornish, D. D., of Ottery, the Rev. Charles Lewis Cornish, both Fellows of Exeter College, Oxford, and



ARMS OF CORNISH

> the present Bishop of Grahamstown, the Right Rev. Charles E. Cornish, D. D. Sir John Mowbray stated to the present writer that his family had occupied the same house in Exeter, bought in 1650 by Nicholas Cornish, through six generations. The characteristic name of the family is Nicholas. They bore for many years for arms, sable, a chevron embattled or, between three roses argent; crest, a chough rising proper, standing on a branch, leaved vert and fructed, the branch reflected over its head. They have now registered somewhat different arms at Heralds' College."

It may be, as stated in this quotation, that the Cornish family that was resident in Exeter and from which descended Florence Cornish, the mother of Henry Martin Beare, has no probable point of connection with the Thurlestone family, but before any definite conclusion upon this subject can be reached, it will be necessary to trace back the ancestry of the various Cornish families that were resident in the county of Devon to an earlier period than, so far as is known, has yet been done. The Exeter branch of the Cornish family can only be definitely traced from about 1625; while the Thurlestone branch trace their descent from Robert Cornyshe, who was about forty years of age in 1536. Dr. Du Boulay says, as to the origin of the name Cornish:

> "The name of Cornish, as descriptive of origin, is not unfrequently met with in the Western Counties; but the writer believes that almost without an exception those who bear that name at the present day, in the Church, the Services and the other liberal professions, may be traced to one or other of the families mentioned above."

CHAPTER IV.

Sketch of the Life of Captain Henry Martin Beare.

I.

From 1760 to 1793.

In the Introduction reference has been made to the outline journal which Captain Beare dictated shortly before his death to his daughter, Henrietta Margaret, which outline is one of the sources of the information we have about him while he served in the British navy and up to the time of his first marriage in 1793. This outline, as has already been remarked, was not intended for publication, but for the edification of his children. While the record of the outline makes no attempt at chronological order, it was the belief of its author that the whole would give his children some idea of their father's experiences during his early manhood. We shall have frequent occasion to refer to and quote from it, so that the events which its author undertook to record may be rendered in the language in which he recounted them.

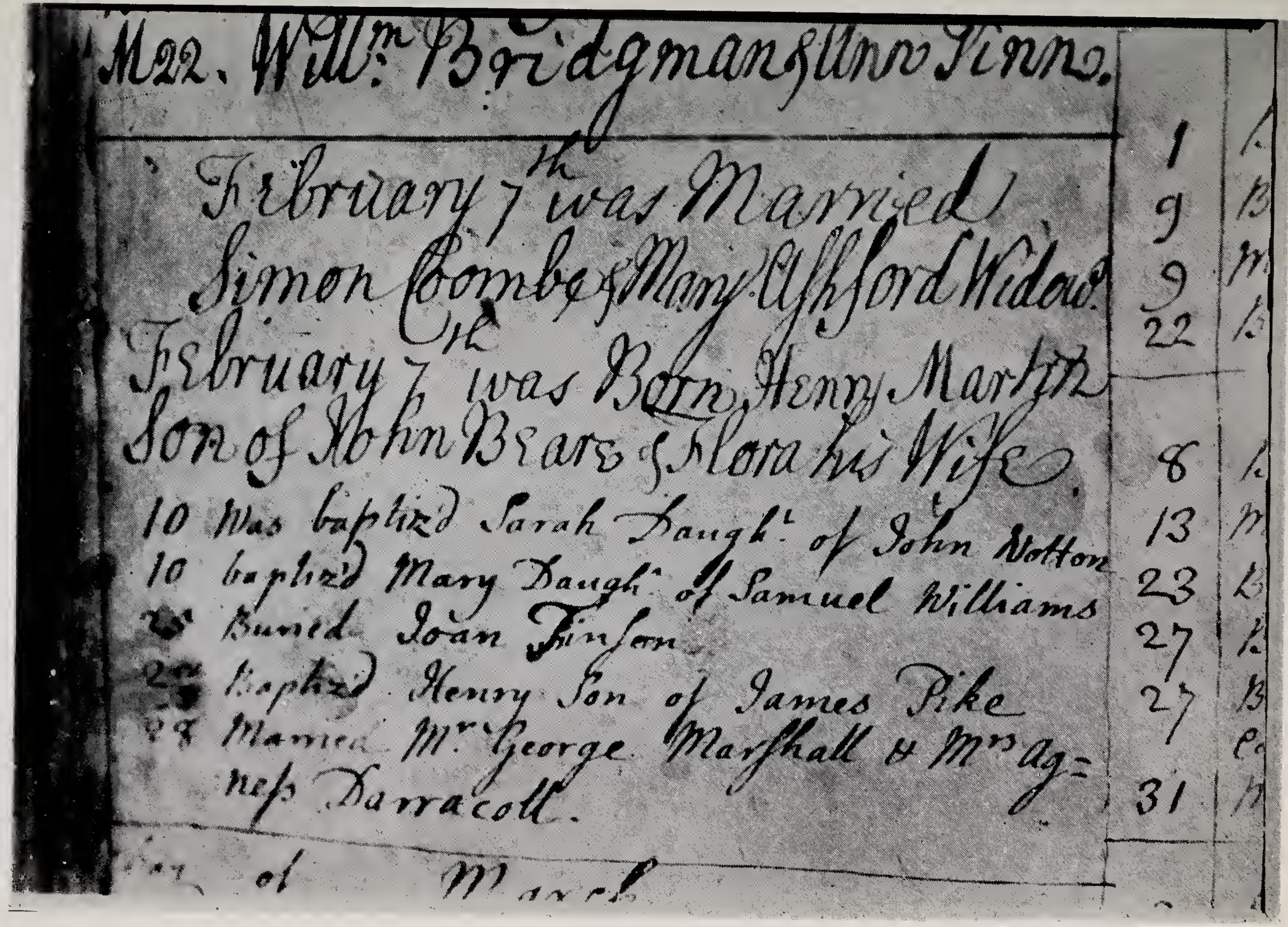
Birth and Youth.

Henry Martin Beare was the son of John and Florence (Cornish) Beare of the Parish of Wolborough, Devon. While his parents were married by the Vicar of the Church at Wolborough, the place where Beare was born does not appear with certainty from this record, but the certificate of marriage to his first wife describes him as "native of Newton" and Newton, or what is now called Newton Abbot was then a part of Wolborough. The two eldest children of his father by his first wife were born at Wolborough and their baptisms are recorded in its parish registers, as are also the dates of the baptism of the two younger children of John Beare by his second wife, Florence Cornish, but there is no record of the *baptism* of Henry Martin Beare in these registers. Notwithstanding the fact that the register does not record his baptism or the place of his birth, it does record the date of his birth and the names of his parents. The record upon the Wolborough register under date of 1760 is as follows:

> "February 7th was Born Henry Martin, Son of John Beare and Flora, his Wife."

The entry is made in regular sequence on the page, the entry immediately preceding it being under date of February 7th and the entry immediately following it being on February 10th. It seems reasonable to conclude that the reason why the place and date of baptism is not recorded at Wolborough is that he was baptized elsewhere, and that the reason why, although not baptized at Wolborough, the Vicar recorded the date of his birth in the register of that parish was because the Beare family at Wolborough were permanently settled there, and were members of that parish. The entries as to the other children of John Beare and of his father, William Beare, were all made in these registers. These reasons seem to be strengthened by the fact that the Vicar of the parish was the uncle of Henry Martin Beare and probably took a personal interest, when he learned of his birth, in recording the fact, together with the names of his parents who had been married by him in Wolborough, and which place had long been the home of his family. Whatever the reasons inducing his uncle, the Vicar, to make the entry in the register, the entry stands, establishing the date of his birth and the names of his parents.

It has seemed important to point out these facts because when Henry Martin Beare died in New York City on September 29th, 1828, the notice of his death published in the New York newspapers of that date recite that at the time



M22. Willm: Bridgman & Ann Finn.
February 7th was Married
Simon Combe & Mary Ashford Widow.
February 7th was Born, Henry Martin
Son of John Beare & Flora his Wife.
10 Was baptizd Sarah Daughtr. of John Notton
10 baptizd Mary Daughtr. of Samuel Williams
[illegible] Buried Joan Finson
[illegible] baptizd Henry Son of James Pike
28 Married Mr. George Marshall & Mrs Ag=
ness Darracott.
of March

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PHOTOGRAPH OF CERTIFICATE OF BIRTH OF HENRY MARTIN BEARE

From Register of Wolborough Parish Church

of his death he was sixty-three years of age. Endorsed on the outline journal which Captain Beare dictated to his daughter is the statement by his daughter that her father was "born in Exeter, England, September 25th, 1765". If this entry were correct, he would have been sixty-three years old at the time of his death, but as the entry in the Wolborough register proves, the fact is, he was sixty-eight years of age at the time of his death.

Wolborough is about nineteen miles from Exeter and now adjoins the larger town, Newton Abbot, in which last place, according to the Bill of Complaint in Chancery of John Beare, the latter owned property. The Rev. William Buckland, the Vicar of Wolborough at this time, was the twentieth known incumbent of this parish. He became Vicar in 1746. The right of appointment to this living then belonged to the Earl of Devon. Three years before Mr. Buckland became Vicar of this parish, he had married, on September 12th, 1743, at the Parish Church of Wolborough, Elizabeth Beare, who was the daughter and eldest child of William and Elizabeth Beare of Wolborough. She was nearly ten years older than her brother, John Beare, the father of Henry Martin Beare.

We have no information as to the experiences of Henry Martin Beare up to his twelfth year. It is reasonable to suppose that his training, schooling, education and home environment were similar to those common to other boys in that section of England whose families occupied a similar position to his own. It is said that Beare told his family that he had first gone to sea when he was only twelve years of age. In considering this statement, it must be borne in mind that the practice of commencing a career upon the sea at such an early age was at that time not uncommon. While it is true that we have been able to find no mention of him in the admiralty records prior to the time when he volunteered for service on the *Medea* on April 23rd, 1780, there are several circumstances in addition to the custom of entering the navy at such an early age which corroborate the statement Beare made that he commenced his service upon the sea at the age of twelve. First of importance among these circumstances is that years afterwards, and in 1790, when he was examined as to his qualifications for first mate of the *Prince William Henry* the examiners found that at that time he had followed the sea for eighteen years, which would mean that he had commenced his career upon the sea at the age of twelve years. In the marine records of the season 1790 containing a description of commanders and mates examined for the several ships is the following:

> "Henry Martin Beare, first mate of the Prince William Henry, thirty years of age, used the sea eighteen years; four voyages to India; last in the same station in this ship England.
>
> Approved 13 January 1790.
>
> Wm. Bensley)
> Thos. Pattle) Esqres."
> Thos. Theop. Metcalfe)

The second circumstance which is significant in this connection is that when Beare entered upon the *Medea* as a volunteer April 20th, 1780, at the age of twenty, he did so in the quality of seaman, and yet within less than a month, on May 10th, 1780, he became master's mate of the *Medea.* We are told by those familiar with the practice of the British navy at that time that a promotion to such a position, in such a short time of one so young, would scarcely have been possible, and certainly very improbable unless he had already had some service upon the sea. This circumstance, coupled with the findings of the examiners when he became chief mate of the *Prince William Henry,* and the statement which Beare himself made, establishes very clearly the fact that he commenced his career upon the sea at the age of twelve.

Upon what ship he first entered, and in what capacity, and the nature of the services that he was required to perform, we do not know. It is, of course, obvious that his services, whatever they were, must have been small and probably consisted in doing what his superiors deemed incidental to the service of an apprenticeship at sea for one who later aspired to enter the navy. His outline journal tells us of his presence at the Battle of Ushant on July 27th, 1778. The fact that the admiralty records, so far as we have been able to discover, do not show his name upon the muster rolls or payrolls at that date may be accounted for by the fact that at that time he was under eighteen years of age. The English countryside in the early summer of 1778 was full of rumors of war with France. It was known that France was launching a great fleet and that Admiral Keppel had put to sea in the early part of July for the purpose of defending the English coast, with the promise of the ministry that he should have such reinforcements as were necessary. It does not require any great stretch of the imagination to assume that a youth of seventeen in the west of England, whose father had served in the navy, and who had himself been at sea for five years, should have continued in the navy. There must have been much exhortation for volunteers, throughout the country, and when Keppel put to sea again with reinforcements on July 9th it is not surprising that young Beare, as recorded in his journal, was on board the *Foudroyant* in the battle that followed on the 27th of that month.

Battle of Ushant.

In his outline journal, Beare told the story as follows:

> "1778. July 27th.—In the memorable battle under Admirals Keppel and Palliser with the French Grand Fleet under Count d'Orvilliers. I was on board the *Foudroyant* of 84 guns; was wounded in the left leg by a splinter from a thirty-two pounder, a piece two and a half inches being taken out."

In that battle the British fleet was under the command of Admirals Keppel and Palliser. The French fleet was under the command of Comte d'Orvilliers. The *Foudroyant* took part in the engagement and was a ship of 84 guns. These facts are all attested by the accounts given of the Battle of Ushant by such authoritative naval historians as C. D. Yonge, in his "History of the British Navy", 3 vols., London, 1866, Vol. I, pp. 344-354, and W. R. Clowes, in his history of "The Royal Navy", 7 vols., London, 1897-1903, Vol. III, p. 412. Before war had been formally declared, the British Ministry,

> "Acting in a higher spirit of precaution than prompted many acts of Lord North's ministry, sent Admiral Keppel in the *Victory* with a powerful fleet of twenty-three sail to cruise off Brest and to prevent the fleet lying in that harbor from putting to sea, and also to hinder the Toulon fleet from entering Brest to form a junction with it, should any such attempt be made." (Yonge, Vol. I, p. 344.)

Keppel, after a skirmish with *La Belle Poule* and the *Arethusa,* seized the *Licorne* as a prize, and learning on examining her papers that the French fleet in Brest amounted to thirty-two sail of the line and twelve frigates, decided that with his present force he was unable to cope with it. He returned to Spithead for reinforcements which had been promised him. On July 9th, 1778, he put to sea with a fleet of thirty sail of the line and four frigates.

> "With him", says Yonge, "were the Vice Admirals Sir Hugh Palliser and Sir Robert Harland and among his captains were Jervis in the *Foudroyant,* 84, and the *Robust,* 74, Captain Alexander Hood, afterwards Lord Bridport. The French fleet had quitted Brest the day before; the commander in chief was the Comte d'Orvilliers." (id. p. 345. See also Clowes III, p. 412.)

The accounts of the Battle of Ushant which naval historians have given declare it to have been indecisive in its results and the discussions in which they indulge of the circumstances of the battle are devoted to estimating the technical manoeuvers in which the contestants indulged, counting the points scored by each and pointing out the features which, from a technical naval standpoint, merited praise or blame. The British object was to force a decisive engagement, while the French Admiral, hampered by his instructions, was endeavoring to avoid action unless the circumstances were very favorable to his success. The two fleets sighted one another on July 23rd about a hundred miles west of Ushant. There was much manoeuvering for position. On July 27th the action occurred. We may pass over the technical description of this battle, that aspect being foreign to our purpose, and note the result of the engagement. Clowes sums the matter up, saying (Vol. III, p. 422):

> "Though absolutely indecisive, this was a pretty smart skirmish; the British loss being 133 killed and 373 wounded. That of the French, 161 killed and 513 wounded. The general result would appear to indicate that the French, in accordance with their usual policy, had fired to cripple their enemy's spars and rigging, the motive power. This would be consistent with d'Orvilliers' avowed purpose of avoiding action except under favorable circumstances. As the smoke thickened and confusion increased, the fleets got closer together, and, whatever the intention, many shot found their way to the British hulls. Nevertheless, as the returns show, the French hit were to the British nearly as 7 to 5. On the other hand, it is certain that the manoeuvering power of the French, after the action, was greater than that of the British. Both sides claimed the advantage. This was simply a point of honor, or of credit, for material advantage accrued to neither. Keppel had succeeded in forcing d'Orvilliers to action against his will; d'Orvilliers, by a well-judged evolution, had retained a superiority of manoeuvring power after the engagement."

Clowes' opinion seems to be that the French admiral did not follow up his advantage, and that by reason of this failure, the British were given time to re-fit their ships and the opportunity afforded of renewing their attack. But the British did not renew the fight,

> "And here", says Clowes, "arose the controversy which set all England by the ears, and may be said to have immortalized this otherwise trivial incident." (Vol. III, p. 423.)

It appears that Keppel gave the signal to form line of battle but Palliser's division did not come into line, although he was notified that the admiral was waiting for him. The delay was fatal to a renewal of the engagement. Night came on, and when morning came d'Orvilliers' fleet had disappeared.

Keppel and Palliser were of different political parties and seemed mutually to distrust one another. The result of the battle was that Keppel's friends blamed Palliser and that Palliser's friends attacked Keppel. Political feeling crystallized around the question. Palliser was a supporter of Lord North's ministry and a lord of the admiralty, while Keppel was in the opposition and closely affiliated with its leaders. Finally Palliser prepared a charge against Keppel, which resulted in a naval trial. The court martial unanimously acquitted Keppel and held the charges malicious and ill founded. This result necessitated the court martial of Palliser who had commanded the *Formidable* and claimed that the fact that she had been crippled by an explosion, was a reason why he was not able to lead his division into the line of battle. The naval court blamed him for not making this condition of the *Formidable* known to Keppel, but they found that his conduct had been, "in many instances highly exemplary and meritorious", and acquitted him.

It was this controversy which followed the engagement, rather than the engagement itself, which became widely known and has served to render the battle memorable. Much space has been devoted to this controversy by the naval historians of the period (Thomas Keppel, "Life of Augustus, Viscount Keppel", 2 vols. Lond. 1842; Robert M. Hunt, "Life of Admiral Sir Hugh Palliser", Lond. 1844). An interesting account of it is contained also in Vol. IV of Burke's "Celebrated Naval and Military Trials", 6 vols. Lond. 1825, and the minutes of the trials themselves, both of Keppel and Palliser, are among the most entertaining reports of the numerous naval trials which have taken place. In reading these minutes, we have been particularly impressed with the fact that the conclusions reached by the two naval courts before which the trials took place were fully sustained by the testimony of Captain Jervis, who, in the engagement off Ushant, commanded the *Foudroyant* and afterwards became Lord St. Vincent. (See Captain A. T. Mahan's "The Influence of Sea Power Upon History" 1660-1783, Lond., pp. 350-352.)

Prisoner of War in France.

Beare was one of the 373 among the British who were wounded. When he had made a partial recovery it was evidently intended to send him on leave to England. In his outline journal he recounts the facts and some of the events which followed his recovery. It is best that this story should be told in his own language.

> "Being nearly recovered, was put on board a prize brig with a lieutenant and crew, bound to England. Was captured by a French squadron, carried into Brest in France, as prisoners of war, plundered of all our baggage except two changes of linen; confined in a common jail, in one compartment, with upwards of seven hundred men for six weeks, our daily allowance being one half pound of corn bread, with black beans made into soup, with a mixture of oil, and vinegar. We were from thence marched under a strong guard to the city of Dinan in Brittany, 175 miles, at the rate of from twenty to thirty miles a day, with frequent showers of rain so

that most of us were soon deprived of shoes and stockings. At halting places we were secured for the night in stables; sometimes in a church; on the bare flags with a small bundle of straw only for our pillow.

"A remarkable instance of hospitality occurred which I shall ever remember, from a Protestant lady in the suburbs of St. Brion. We had marched twenty miles that day through the rain, and expected to have taken up our lodgings in that village for the night. But when we had passed through it, we were informed we had to proceed five miles further before we halted. The prisoners became furious, and sat down in the road in the mud one and all, immediately before the residence of a widow lady, and family, and positively declared they would have something to drink before they would proceed a single step further. The guards threatened several with instant death, several were knocked down with muskets. The lady of this family came forward and inquired the cause of this tumult. When being informed of the reason she requested the commanding officer's permission to supply the prisoners from her own means, which was granted. When hogsheads of cider were rolled out, and as much bread as could be procured from the village divided among us, which was most gratefully received by us all by saluting her, with three hearty cheers, in a 'man of war's' style, which so alarmed them that the whole village proceeded to arm themselves, supposing we had revolted on the guard, but when explained to them it gave general satisfaction. We continued our march to our place of destination until ten o'clock a dark night, all huddled together in an old church, where I slept comfortably on straw provided for us, in my wet clothes without receiving any injury from it, for which I thanked God in the morning.

"On our arrival at Dinan, a large city surrounded with high walls, originally fortified, in the centre of which we observed four high towers, immensely large, four stories high; small windows secured with iron bars. We were informed into those we were to be confined until regulations should be made with the

English government for an exchange of prisoners. We were formed into messes of eight, and so to take up the space allotted to us. We belonging to the navy chose the largest tower. Fortunately for me we found a small room no better than an oven, with a small window in it separated from the seamen, where we had just sufficient room to lay down eight of us upon the flag stones and allowed a small bundle of straw every week to sleep on, which soon had such a quantity of fleas we were almost devoured. In this prison we were allowed ½ pound of beef per day, made into soup, one loaf of good bread, and a large yard in which to take the air. We were confined in this cussed place forty-seven days, when the joyful news arrived that arrangements had been made between the governments. That all officers should be allowed a 'parole d'honneur'. We were therefore immediately allowed our choice of any of the villages within five leagues of the seacoast. We soon turned our backs on those dreadful looking towers, and having received money from our friends in England, we fitted ourselves with new uniforms, got comfortable lodgings in a genteel family in the village of Coomburg, where were several young ladies. We began to learn the French language, and soon forgot our past troubles. We were detained in France thirteen months before an exchange of prisoners took place, during which time we were obliged to remove every six weeks to another town for fear of converting the girls as they looked upon us in this province of Britanny as heretics. All who had the misfortune to die, we had the mortification to bury in the night clandestinely, by some hedge or in a ditch at some distance from the town."

After the exchange of prisoners was effected, Beare records the fact that he arrived in England and spent a short time with his family, which at that time consisted of his two half brothers, William and John, and his full brother, Charles, who was probably then about eighteen. We have no information as to whether his father was still living, but certain it is that his mother was and it was doubtless with her and the other members of his family that he stayed during his leave on shore.

Volunteers on the Medea.

The time when he joined this ship and volunteered for further service in the navy was in the spring of 1780. The authority for this statement is the Admiralty Muster Rolls, Series I, Vol. 9998, from which it definitely appears that he entered on board the *Medea* 23rd April, 1780, "as a volunteer". The *Medea* was moored in Plymouth Harbor. From these records, it also appears that he entered in the quality of able-bodied seaman and that on May 10th, 1780, he became master's mate. The Admiralty Muster Rolls definitely establish that he remained on the *Medea* until the 6th of October, 1780, in the capacity of master's mate.

The *Medea,* during the time that Beare served upon her, was not engaged in any incident of special note. The Captain's Log tells the story of a naval vessel cruising about waiting for something of importance to happen but records nothing of real interest. The Captain of the *Medea* was James Montagu.

On Sunday, April 23rd, 1780, the day that Beare entered upon the *Medea,* she was moored in Hamoze, Plymouth Harbor. A pilot came aboard to take the ship out of Hamoze but while he was engaged in this task, the ship struck on Passage Rock, where it lay for two hours. The Captain's Log notes that:

> "The ship struck on Passage Rock, hove all abast and got a stream cable out to one of the buoys and hove the ship off after lying two hours on the rock."

The ship was then transferred to her moorings. On May 15th, which was only five days after Beare had become master's mate, the ship set sail. On the following day at Dunnose the *Medea* fired and brought to a schooner from Marseilles bound to Amsterdam. What, if anything, came of the incident, does not appear from the Log. From May 17th to May 23rd, the ship was moored at Spithead. On May 28th she was cruising around the French coast off Cherbourg. From May 29th to 31st she was off Cape Barfleur, and again off Cherbourg on June 1st and 2nd. On June 3rd she gave chase to a vessel, came up with her and hoisted out her cutter but the vessel proved to be a Jersey Privateer with her prize in tow. The *Medea* then rejoined the squadron, having spoken to a "Dutch dogger" bound to Germany. The *Medea* continued her uneventful course, cruising off the English and French coast, until August 24th, 1780, when she:

> "fired six shot to bring to a lugger privateer".

What, if anything, happened when she brought to the "lugger privateer", the log does not disclose.

On September 23rd, 1780, the Captain's Log records that the ship

> "fired twenty-one guns it being H. M.'s Coronation Day".

On the 6th of October, 1780, Beare left the *Medea* and was transferred to the *Juno*. (See Captain's Log of the *Medea*, Admiralty Records, 51/573 in the Public Record Office, London.)

Enters upon the *Juno*.

Beare records: "I was appointed to the *Juno* frigate, Captain J. Montagu, of thirty-two guns." This reference to his appointment to the *Juno* enables us to fix with certainty the date to which he refers, because the Admiralty Muster Rolls, Series I, Vol. 9998, establish that he entered upon the *Juno* 6th Oct. 1780, in the quality of master's mate. The Admiralty Records also show that Beare remained in continuous service on the *Juno* from the 6th of October, 1780, to the 23rd of January, 1783. (See Admiralty Rolls, Series I, Vols. 9998, 9990 and 10,000.)

On the same day that Beare was transferred from the *Medea* to the *Juno,* Captain James Montagu, who had been the Commander of the *Medea,* became Captain of the *Juno.* It would seem not unlikely that Captain Montagu was responsible for Beare's transfer from the *Medea* to the *Juno.* From October 6th, 1780, when Beare came aboard, until October 28th, the *Juno* remained in the dock at Deptford. By December 15th she was moored at Longreach. On February 4th, 1781, she was moored off Beachy Head and shortly thereafter put to sea. It was at this time an incident occurred of which Beare has left us a record, but as to which, as usual with him, he assigns no date. The log of the *Juno,* however, fixes the event as having occurred on Sunday, February 11th, 1781. Beare refers to it as follows:

> "When cruising off Beachy Head, we fell in with a noted French Privateer, the 'Revenge' of 26 guns. After a short contest of twenty minutes within pistol shot, she surrendered. I escaped unhurt and was sent on board the prize to conduct her into port."

The Log of the *Juno* notes this incident as follows:

> "1781, February 11th, Sunday. At Meridian saw a sail under the Lee bow. Gave chase and all sail sett at 4 coming up with the Chase Very fast Zebra Hull down at ½ past 4 began to fire bow chases at 5 came along side of her found her to be a french privateer after Receiving & discharging our broadsides, she struck at ½ past 5 prov'd to be the La Revenge from Dunkirk mounting 16, 6 pounds & two twelve D° with 125 men Monsieur Guillimar Commander, hoist'd out our Cutter & sent our 1st Lieutenant & 25 Men to take charge of her. * * * bent another (sail) shot away in Action. Other sails were very much shattered. Came to anchor in the Down off Deal."

On April 13th, 1781, the *Juno's* Log notes that she boarded a "French Cartel" (caravel, or carvel?) from S. Malo and brought her into Falmouth on the next day.

The *Juno* remained in the vicinity of the English coast, being moored from time to time at various places, until February 6th, 1782, when she "unmoored". The *Juno,* in company with seven other vessels and two armed transports, was in the fleet which set sail for the East Indies under the command of Sir Richard Bickerton, Bart. (See Lieut.-Col. Alexander Beatson, "A View of the 'War with Tippoo Sultaun,' " London, 1800.) These vessels joined the fleet off Scilly with the convoy, which consisted of seventeen East Indiamen that had set out early in the year with four sail of the line and one frigate. In a gale in the Bay of Biscay three sail of the line and the frigate were so badly damaged that they were obliged to return.

The Log of the *Juno* does not show in any satisfactory way what the *Juno* did for several months following. Log books are, of course, legal evidence of the facts stated in them and are accepted as such in legal proceedings. The weight to be given to them is, however, sometimes affected by the manner in which they are kept. In the trial of Admiral Keppel, for example, it appeared that entries in the Log of a vessel had been made not at the time the events recorded occurred, but after a controversy had arisen in reference to those events. Some of the witnesses called in that inquiry, who were experienced captains in the British navy, did not hesitate to express the doubt that implicit reliance could be placed upon them. One of the witnesses also commented upon the fact, that is obvious from an inspection of many of them, that the entries were fuller and more detailed upon occasions when little of interest had happened than they were in recording more important events, such as a great battle in which the ship may have participated. From the *Juno's* Log, however, it does appear that she was off the coast of

Brazil April 25th, 1782; off the Cape of Good Hope July 1st, of the same year; in St. Augustine's Bay, Madagascar, on July 18th; moored at Bombay August 26th, and arrived at Madras October 12th. She was off Friars Hood October 31st, together with "all fleet in company".

This is, perhaps, an appropriate place to digress for a moment and to glance at the events that had taken place in India. The purpose of ordering the *Juno* and other vessels to sea under the command of Commander Sir Richard Bickerton, Bart., was that they might proceed to India and render, under the command of Vice Admiral Sir Edward Hughes such assistance as they could in the various contests in which the fleet was there engaged, and co-operate in every way possible with the English forces then in India in the contest with the forces of Hyder Ali and the French.

Events in India.

The events in which Henry Martin Beare during his service in the navy took an active, although relatively insignificant and inconspicuous part, were a part of greater events which had to do with the struggle in India between the English and the French, and the local Indian princes—the final outcome of which established British supremacy over southern Asia. To understand the biographical incidents to which we shall refer, it is necessary to glance for a moment at India and the stirring events that had taken place there, before, during, and after the period in which Beare was in active service there with the fleet. It is only in this way that we can understand the relation of the minor events—themselves foot notes to history—to the larger and more important transactions of which they were in fact a part. Prior to the period when, as a boy, Beare entered the British Navy, the attitude of the Marathas in the Mysore, in making war upon their neighbours had, as we can now appreciate, demonstrated that the question of the future rulership of India was merely a question as to which European power should succeed to the authority which, for centuries, different tribes and dynasties had within limited areas exercised. The Portuguese, and later the Dutch, were eliminated from the contest, and by the middle of the 18th century it was plain that the rulership of India in the future must rest either in English or French hands.

In the course of the half century that followed there were many occasions when the outcome of this struggle seemed to be in doubt, and when a more consistent and aggressive policy on the part of the French might have made permanent in India the control and influence of France. It would lead us too far afield from our purpose to refer to these instances which could only be usefully done by tracing in detail the events of Indian history. It will be more to our purpose to avail ourselves of the wisdom which comes after the event and to look at the situation in retrospect and note the factors which we can now see indicated ultimate English success. The French indeed were the first to demonstrate the advantage of the use of European troops, trained by European methods when in alliance with local troops. This fact had been apparent to the great Dupleix, and to others like de Boigne, and the lessons which their experiences taught, the English were adept in learning. After the surrender of Madras in 1746, the English influences in India were at low ebb and the prospect of the ultimate French dominion must have seemed bright, at least to such an ambitious mind as that of Dupleix. But the French advantage was not sustained and indeed did not survive the Treaty of Peace of Aix-le-Chapelle in 1749, when fighting temporarily ceased in India under a treaty which restored Madras to the English in exchange for the restoration of Louisburg in North America to the French.

The struggle going on in India was none the less a contest between the English and French, although the interests represented appeared nominally to be those of the English East India Company as opposed to the French East India Company. The advantages which England enjoyed over France in the contest which was impending were so great that as we look back at the events then taking place we are impressed with the fact that the ultimate English success that followed was natural and logical. No European power could reasonably hope to win Indian supremacy unless it could maintain by sea an uninterrupted line of communication with its mainland. Sea power was the primary condition of success and in this vital respect the advantage lay with England, although individual naval commanders, such as the great Suffrein, proved personal superiority over their English rivals. Many of the incidents of Indian history during this period attest the fact that success in India depended upon superiority at sea.

There was also a great difference between the character and nature of the management of the English East India Company at that time, and the French East India Company. The latter was largely dependent on state initiative which was not above disguising its lack of success by the payment of fictitious dividends. The English company, on the other hand, possessed initiative, which sprang from the fact that it was managed by great merchants who had long experience in Asiatic affairs. The French company was dependent upon such resources as it could secure from the state, stimulated by the profits incident to lottery and monopoly privileges, while the English company was rich and powerful in its own right and financially able to make loans to its government, and constantly maintained a Parliamentary connection which was ready to extend and augment its powers.

If one will compare the map of India today with a map of India before the Peace of Aix-le-Chapelle, he will find written on the map of today the indubitable evidence that, notwithstanding the ability, courage and dash of the French, the

English demonstrated their superiority on the sea, in the field and, not least in importance, around the council table. But before this result was achieved the issue was often in doubt; the pendulum of victory swung frequently from one side to the other. In the pages of Orme's "History of the War of Coromandel", and in the writings of Colonel Malleson upon Indian affairs, we find much that compels our admiration of the courage and ability of Clive, Lawrence, and Coote, and of the equal courage and skill of Dupleix, Bussy, and Lally the Elder, and a host of followers of each of these groups whose sacrifices and bravery made possible the achievements of their leaders, but whose very names have long since been forgotten.

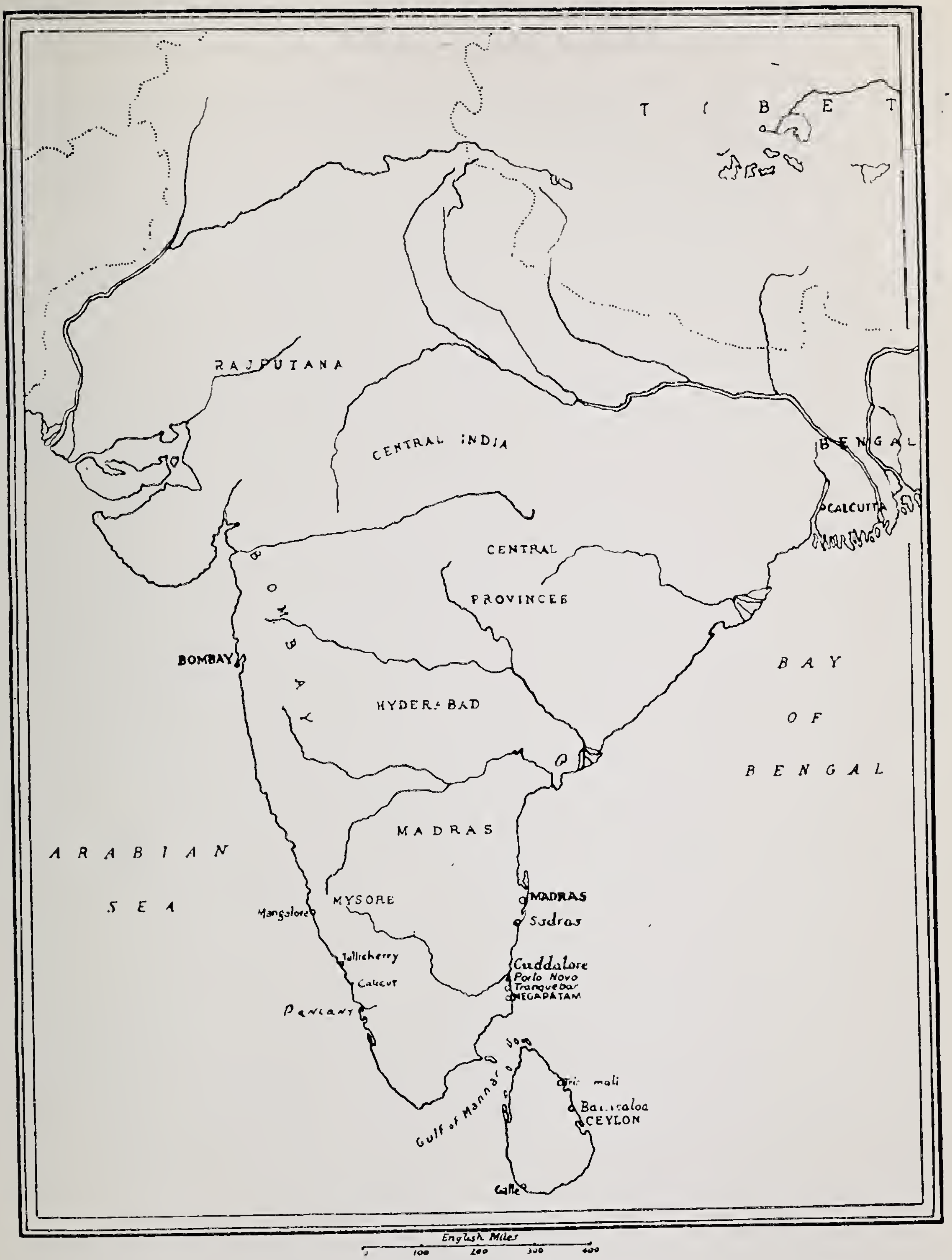
In 1754, there was a temporary settlement in which these rival corporate bodies bound themselves to a suspension of arms and to refrain from territorial aggression. This so-called settlement did not last long, and within two years England and France were contemplating war with each other.

For a time France continued to appear successful. Despite Clive's capture and brilliant defense of Arcot in 1751 which kept England predominant in the Carnatic, Dupleix was the admitted ruler of the Deccan and in 1756 Suraj-ad-Dowla took Calcutta, and earned his unenviable fame as the instigator of the Black Hole episode.

In 1756, Count Lally left France in charge of an expeditionary force under instructions to attack the English coast settlements in India but to avoid proceeding inland, which it was believed would involve participation in the local quarrels of native princes. The English situation at that time was serious. They had been driven from Calcutta and had lost their forts and factories in Bengal. The energy and genius of Clive soon recovered these losses. Lally had, indeed, taken St. David's, but was unsuccessful in his attack upon Madras. The battles that followed proved that he was no match for Clive and Coote. The fall of Pondicherry in January, 1761, left no doubt of the French failure in the contests which had taken place up to that time.

While the English possession of Bengal was thus placed upon a permanent basis in 1765, the years that followed witnessed a constant struggle, taxing to the full the English resources, involving contests, the event of which was often doubtful and which at times seriously threatened the control the English had already secured. This warfare was waged chiefly by native princes and rulers assisted by the French and centered in and about the territory south of Madras and Bombay. The Marathas to whose activities we referred at the outset, were the Mahomedan rulers of Mysore in the centre of southern India. Their attacks upon their neighbors had given rise to constant war in which adventurers, both native and foreign, found wealth and power dependent upon their military skill and the success with which they led their own followers.

The English possessions at Madras lay along the sea coast. The territory of the Carnatic country during that time was the subject of local rivalry. The triangular contest between the English in Madras, the Marathas and the followers of Hyder Ali kept the Carnatic territory in terror and their conflicts were waged uncomfortably close to Madras. A treaty of peace was entered into between these three groups in 1769 by which these powers were declared to be friends and allies and each bound itself in terms more or less definite to aid the other if any one should become an aggressor against another. In the year that followed, the Marathas and Hyder Ali were again at war and the English were embarrassed by the demands of each that English assistance should be given pursuant to its treaty obligations. The English declined to co-operate with either, and the injuries which the Marathas inflicted upon Hyder Ali were attributed by the latter to the faithlessness of the English. Hyder Ali was no ordinary adventurer but was possessed of qualities which won him


TIBET
RAJPUTANA
CENTRAL INDIA
BENGAL
CALCUTTA
CENTRAL
PROVINCES
BOMBAY
BOMBAY
HYDERABAD
BAY OF BENGAL
MADRAS
ARABIAN SEA
MYSORE
Mangalore
MADRAS
Sadras
Tellicherry
Calicut
Cuddalore
Porto Novo
Tranquebar
NEGAPATAM
Paniani
Gulf of Mannar
Trincomali
Batticaloa
CEYLON
Galle
English Miles
0
100
200
300
400

India and Ceylon

MAP OF INDIA IN 1780

great power and made of his opposition a factor which could not be slightingly treated.

The refusal of the English to co-operate with him against the Marathas aroused the bitterest animosity of Hyder Ali. From that time on, his guiding motive seems to have been to rid India of the English. He bided his time, husbanded his resources, strengthened his positions, and made it evident in 1779—ten years later—that he was ready to embark upon an expedition which should gratify his desire for revenge and promote, and perhaps achieve, his great purpose of ridding India of the English. He forthwith made peace with the Marathas, obtained assurances of French support and prepared to launch his attack upon the English interests.

In this situation, the English government prepared to resist the contemplated attack from Hyder Ali and his allies. There was much delay in the work of preparation. It was not until November 1779 that the English fleet was again on its way to India. The gallant Highlanders, whom General MacLeod led, did not land at Madras until January, 1780 (see T. E. Hook, Life of General Sir David Baird, London, 1832, 2 vols.). The British Government had underestimated the strength of Hyder Ali and the value of the assistance which the able French soldier, Colonel Lally, would be able to give him. Colonel Lally was a nephew of Count Lally, who, a generation before, had co-operated with Dupleix and Bussy (see Col. G. B. Malleson, Final French Struggles in India, and On the Indian Seas). The Madras government was dismayed when it realized that the invading force amounted to nearly 100,000 men, including a substantial number of European troops officered by Frenchmen and commanded by Colonel Lally (see Hook's Life of Baird, page 16). The English command had first been offered to General MacLeod, who refused to accept it unless certain conditions which he insisted upon as to the equipment of the army were complied with, although he offered to march at the head of his own regiment.

Under these circumstances, the chief command was conferred upon Sir Hector Munroe.

The English took the French settlement at Mahé in 1779, but, says Sir A. Lyall, in his "Rise of the British Dominion in India", London, 1920, "By the summer of 1780 the fortunes of the English in India had fallen to their lowest water-mark".

In July, 1780, Hyder Ali made his attack upon the plains of the Carnatic, supported by an army of 80,000 men. He had long been conscious of the need of sea power in order successfully to oppose the English. A French squadron had been fitted out at the Isle of Bourbon, the object of which was to cut off the connection between England and India. In 1781 this fleet appeared on the Coromandel coast. Had the squadron co-operated with Hyder Ali at that time it seems that Cuddalore must have fallen, but instead of so doing the French fleet sailed back to Bourbon. Hastings had sent reinforcements and money under Sir Eyre Coote and the latter defeated Hyder Ali July 1781 at Porto Novo.

Early in 1781 both the English and French governments sent naval reinforcements to carry on the war in India. The French admiral, Suffrein, left Brest with a powerful squadron. The English sent a convoy of ships under Commodore Johnstone having on board troops commanded by General Meadows. The two fleets came to action at Praya Bay off Stjago, in the Cape Verde Islands, after which Commodore Johnstone returned to England while some of the transports proceeded to Bombay, then to Calicut and reached Madras on February 12th, 1781, the day after Vice Admiral Sir Edward Hughes arrived there. There was an indecisive battle on February 17th, between the fleets of Suffrein and Hughes. After this battle the English admiral moved his fleet towards Trincomale in Ceylon. Suffrein proceeded to Porto Novo and landed 2,000 men to aid the army of Hyder Ali then under the command of the latter's son, Tipu, in the reduction of Cuddalore. A sharp battle between the two fleets took place on April 12th, 1781, which was fought off Trincomale, in which the result was again indecisive although both fleets suffered serious damage. Still another indecisive engagement took place between these fleets off Negapatam on July 6th, 1781. By August 1st, 1781, Suffrein had put to sea again and on the 25th he was off Trincomale. When Hughes sighted Trincomale on September 2nd, 1781, having left Madras August 20th, it was only to learn that the forts at Trincomale had capitulated to the French two days before.

The British Fleet attacked the French fleet on September 3rd, when a sharp battle of three hours' duration was terminated by darkness. Hughes retired to Madras from whence he proceeded to Bombay on October 15th. On October 19th, Sir Richard Bickerton arrived with five sail of the line and 4,300 European troops. (See C. R. Low, "History of the Indian Navy", Vol. I, page 179).

On October 21st, there were operations against Negapatam, the principal Dutch settlement on the Coromandel coast. Seamen and marines of the fleet were landed, after which the Dutch Governor surrendered the fort. The English fleet then proceeded against Trincomale, which they captured on January 11th, 1782 (*from November 22nd, 1781, to February 6th, 1782, the Juno was moored at Spithead. She made the coast of Brazil April 25th, 1782, and arrived Bombay August 26th*).

In February, 1782, Tipu defeated Colonel Braithwaite, who had taken Negapatam, almost destroyed his detachment and took Colonel Braithwaite himself a prisoner. This engagement lasted three days and was decided in favor of Tipu by the gallantry of Colonel Lally (see L. B. Bowring, "Haidar Ali and Tipu Sultan" p. 99) . On May 17th, 1782, through the efforts of Hastings, the English made peace with the Marathas thus detaching them from the hostile combination which had been formed against the English (see Bowring, p. 100; Lyall, p. 197). Hyder Ali had received information that French troops which had been long expected had landed at Cuddalore. Coote marched toward Kellinur near Pondicherry intending to proceed to Arni. Hyder Ali, being advised of Coote's movements, detached Tipu with strong reinforcements to strengthen Arni, to which place he was informed Coote intended to proceed. Arni was not on the coast, but was inland about 30 miles and northeast of Pondicherry.

On June 2nd, Coote was attacked by Tipu and Lally. Coote's effort to reach Arni failed. Failing in his original purpose, Coote advanced to attack Hyder Ali but the latter by a clever ambuscade decoyed the British main guard into a position where they were charged by Mysore cavalry, and suffered heavy losses. This was the last engagement between Coote and Hyder Ali, both dying within the year.

In August, the Bombay Government despatched a force to invade Malabar under the command of Colonel Humberstone who seized Calicut, advanced toward Palghatcherri capturing several small forts on the way. In the meantime, Tipu, who had been ordered by his father to oppose the English by cutting off their communication with the coast, advanced towards Malabar, by rapid marches from the eastern section where he was and reached there in October, 1782. The precautions adopted by Colonel Humberstone defeated Tipu's purpose and Colonel Humberstone's detachment reached Paniany in safety on November 20, although it had been considerably harassed by the enemy during the last two days' march. Paniany is on the sea coast about forty miles south of Calicut and situated near the mouth of a large river. Here General MacLeod arrived with a small reinforcement from Bombay and being senior to Colonel Humberstone the command of the army devolved upon him. He posted the detachment in a strong position near the sea, threw up redoubts on his flanks and along his front. This he did under the protection of the British frigates *Juno* and *Pondicherry* which had anchored as close to the shore as possible and covered his camp with their guns. They also sent men on shore to aid in the building of fortifications.

No sooner had the forces of General MacLeod built their defenses in co-operation with the *Juno* and *Pondicherry* than the army of Tipu encamped in front of them. This army consisted of 8,000 regular infantry, 600 Europeans, 10,000 cavalry and a large number of irregulars. For several days this army kept up an ineffectual cannonade upon the English. Tipu formed his infantry into three columns, one of which was headed by Colonel Lally with his European troops, and made a vigorous attack upon the British lines. He was, however, repulsed and compelled to retreat, leaving several hundreds of his men dead upon the field. Tipu retreated by crossing the Paniany river. (See the History of Hyder Shah, alias Hyder Ali Khan Bhadur; by M. M. D. L. T., formerly a commander under Hyder Ali, London, 1784). Several days passed after Tipu's army retreated across the Paniany without either side making an attack upon the other.

Between the night of December 11th and the night of December 12th, 1782, Tipu received news that his father, Hyder Ali, had died on December 7th. The greatest precautions had been observed in concealing from all, even the officers and army of Hyder Ali, the news of his death. Suddenly Tipu, from whom the English were expecting an attack at any moment, broke up his camp and with all possible haste proceeded to Seringapatam. To communicate the news of Hyder Ali's death to the English authorities at Bombay at the earliest possible moment was deemed by General MacLeod to be of great importance. It was for this purpose that he sent Beare, then master's mate on the *Juno,* to carry the tidings to Bombay.

Tipu reached Seringapatam towards the end of December (M. M. D. L. T. says "probably about the 20th, 1782") and mounted the throne of his father.

The Bombay government sent General Matthews to assist MacLeod and Humberstone in Malabar. The expedition upon which they embarked accomplished the reduction of Rajamandrug and Hanowar (Onore) in North Kanara. The attack upon Onore was made January 1st to 6th, 1783; the *Juno,* as its Log says, assisted in the attack. Cundapoor was captured January 16th and Mangalore shortly after.

When the Bombay government learned of the death of Hyder Ali, instructions were sent to General Matthews to seize Bednur. Matthews landed a small force and in three days reached the foot of Kundapur Hosangadi Pass. The natural difficulties of ascending this pass were so great that General Matthews could not have accomplished it but for the assistance furnished by General MacLeod, who had joined him from Paniany with his small detachment of the 42nd Regiment of Highlanders (L. B. Bowring, ''Haidar Ali and Tepu Sultan'', page 121), who carried at the point of the bayonet one breast work after another. The attack of Bednur continued, and through the treachery of its Governor it was surrendered January, 1783, the Governor himself having made away with the contents of the Treasury (see C. R. Low's ''History of the Indian Navy'', 2 vols., London, 1877, Vol. I, page 181).

Mangalore had surrendered to General Matthews prior to the latter's attack upon Bednur, but Tipu determined to regain it. A small force which he sent against it having been repulsed, Tipu resolved to lead in person his whole army against it. Colonel Campbell, the officer in command, made a stout resistance.

News of the peace between England and France having been received the French officers who had been working with Tipu, greatly to his disappointment, refused to act longer against the English and withdrew. The attack upon Mangalore was converted into a blockade and the garrison being without resources, its treasury empty and its hospitals filled by reason of disease which had broken out there, was compelled to surrender. This they did upon condition that the garrison be permitted to retire to Tellicherri eighty miles to the south, but Tipu readily found a pretext for the violation of these terms.

While Tipu had been endeavoring to recapture Mangalore, the French and English fleets were preparing for another battle. Admiral Hughes had determined to attempt the capture of Cuddalore. Suffrein, on learning of this determination, left the port of Trincomale and sighted the British fleet on June 13th, 1783, then off Porto Novo. There was much manoeuvering for position between the two fleets; the battle took place on June 20th, and, like other conflicts between the fleets of Suffrein and Hughes, resulted in a draw. The indecisive result of these naval battles, especially that off Cuddalore, was favorable to the French because it left that place in their possession, Hughes being unable to oust them. After the battle, intelligence arrived that peace between England and France had been concluded January 2nd, 1783. The peace between the English and French did not serve to end hostilities between Tipu and the English. Tipu continued his attack upon Mangalore and, as pointed out, violated the condition upon which it had been surrendered to him. He was, however, otherwise seriously pressed by the English and appreciated that the time was opportune for peace.

In March, 1784, he signed a treaty of peace by which mutual restorations of seized territories was agreed upon, and it was also agreed that the prisoners taken by Tipu should be returned. Tipu paid little heed to the obligations which the treaty imposed upon him and re-occupied the southern part of Malabar and evaded that part of his obligation which required the return of English prisoners. Many of the prisoners whom he had taken, including General Matthews, had been murdered in cold blood. Tipu again made war upon the Marathas and made repeated efforts to enlist French support against the

English. Large sections of the country were laid waste by him by fire and sword.

Lord Cornwallis, who had become Governor-General, finally declared war upon Tipu, having at the same time entered into a treaty of offensive and defensive alliance with the Marathas and the Nizam of Hyderabad. In January, 1791, Lord Cornwallis at Madras assumed command of the army and undertook the siege of Bangalore, and later an attack upon Seringapatam but in this last expedition he was not successful.

Another siege of Seringapatam was later attempted which gave so much promise of success that Tipu assented to the terms of peace which required him to cede half of his dominions and to pay a large indemnity.

Lord Cornwallis left India in 1793. Tipu, however, continued his policy of evasion and of practising extreme cruelties upon the prisoners whom he captured, and renewed his efforts to enlist French aid.

These conditions continued until Lord Mornington became Governor-General in 1798. He immediately took a strong position. Matters soon reached a crisis and on February 22nd, 1799, Lord Mornington made a declaration of war against Tipu. On May 2nd, the siege of Seringapatam was commenced, its walls were stormed under the leadership of General Baird and its defenders routed. Tipu fought to the end, evincing great courage, and died sword in hand.

As a result of this battle, English supremacy in India was put upon a lasting basis. England acquired all the western coast and immense spoils, and made generous allotments to its allies.

The Isles of France and Bourbon had long been a centre from which the French co-operated with the enemies of England in furnishing them with supplies. After the English had brought about the fall of Seringapatam they had been harassed, especially from the Isle of France, by many French privateers which proceeded from that harbor, commanded by bold adventurers who made constant raids upon English commerce. On February 5th, 1801, General Baird received orders to repair to Trincomale and assume command of forces there assembled with a view to capturing the island of Java, and later the isles of France and Bourbon. On the same day General Baird embarked on board the *Phoenix*. Later he was informed that the original plans had been changed and that Sir Ralph Abercromby had received orders to proceed up the Mediterranean and by an attack on Alexandria and the coast, to co-operate with the Turkish army in whatever plan might be determined upon, with a view to expelling the French army from Egypt. He was informed that it was deemed expedient that a force should be sent also from India to co-operate from the side of the Red Sea.

Under the plans proposed, Sir Ralph Abercromby was to reach the coast of Egypt in December and Sir Home Popham in the February following. Lord Wellesley communicated with General Baird suggesting that he remain on the *Phoenix* and urge the Captain of that ship to make every preparation for sailing. General Baird left Bombay April 6th, 1801, and reached Mocha on the 24th. He reached Jeddha on May 18th. On May 26th, Baird sailed from Jeddha with Sir Home Popham in the *Romney* and reached Kossier June 6th. General Baird then arranged that his troops should cross the desert from Kossier to Keneh. He left Kossier June 30th.

On August 27th, the right wing of the army began to move in the direction of Alexandria, and with General Baird at its head reached Rosetta on August 30th. On arriving at Rosetta, he hoped to be able to take part in the siege of Alexandria but a letter was received from General Hutchinson announcing that the French had sent a flag of truce to treat for a surrender and General Baird was ordered to halt there. On September 1st, General Baird learned from General Hutchinson that the capitulation had been actually signed and that the British troops were to take possession of the out works of Alexandria the following morning.

On April 30th, 1802, dispatches were received from England directing that the native troops and a portion of the European troops serving in Egypt should be returned at once to India by sea from Suez. On June 5th, 1802, General Baird and his army left Suez. He sailed on the *Victor,* reaching Madras July 6th, and Calcutta on July 31st.

This brief outline of the events which transpired in India before, during and after the ships upon which Beare was serving were active there, will serve as an introduction to the events which we are about to describe.

Campaign Against Forces of Hyder Ali—Beare Commissioned to Carry Intelligence to Governor of Bombay.

After this digression, we return to the Log of the *Juno,* upon which vessel, at the time, Beare was serving. The *Juno* was off Comorin August 8th, 1782, and, as has already been pointed out, at Bombay on August 13th, where she moored on August 26th. The Log shows from day to day where the vessel stopped. On November 13th, 1782, she was again off Cape Comorin, and from that date until December 28th she was anchored in and around the Panian Roads, off Paniany which is south of Pudiangaddy and in the southern part of the Calicut country. While the *Juno* was proceeding toward Bombay from Cape Comorin, which she left on November 13th, she anchored off Paniany, in response to a signal of distress displayed by the English forces on land. In October, as already stated, Tipu had reached Malabar in response to his father's directions to cut off the English communication with the coast. The English force had retreated to Paniany, about forty miles south of Calicut, where, throwing up redoubts, and protected by two British frigates, the *Juno* and the *Pondicherry,* they awaited Tipu's attack. Beare in his outline gives the following account of the engagement at Paniany, during which engagement he received a slight wound. His account is as follows:

> "As standing along the coast belonging to Hyder Ali, we observed near the small town of Pannany an English flag displayed on a cocoanut tree. We immediately stood towards the spot, and as we drew near observed a canoe with an English officer on board, who informed us that a detachment of the British army consisting of about two thousand men under General MacLeod was on that spot in distress, having lost nearly all their baggage and cannon in a battle with Hyder Ali, and that they expected to be surrounded by him on the next day, and requested immediate assistance. We anchored close into the shore, landed twelve guns and all our empty water casks. I was sent on shore to assist making a battery with a large party of seamen. With the aid of ten elephants, we cut down cocoanut trees, filled the casks with sand, and completed a formidable battery before sunrise. We employed the whole of the next day making preparations to receive the enemy. At daylight we perceived the enemy in strong force opposite to us, a small river partly fordable between us. They began to construct a battery in the bushes. We began to annoy them from our works immediately, and continued so to do until late in the afternoon, when they attempted to cross the river with a heavy body of cavalry supported by infantry, but the 42nd regiment of Highlanders coming to our assistance, we poured into them grape and cannister from our twelve pounders. The Highlanders gave them such a well directed fire that we cut them down like grass. The remainder retreated, leaving their cannon in the woods about four P. M."

Beare also points out that after the retreat across the Paniany River the enemy had increased its forces and was:

> "commanded by Tippo Saib in person, assisted by the French General, Lally. The British army, small as they were, nearly surrounded on all sides with this great force against them, had not the means to take

> them all off. It was determined to fortify themselves against every assault. We made a sally among them before daylight, killed four or five hundred men, and took French officers prisoners, who informed us that Tippo intended to storm our camp the next morning at gunfire with a French regiment supported by his best troops. Accordingly General MacLeod made every preparation to meet them. Every man lay down with his arms. At daylight every eye was fixed on the spot where we expected the enemy. Not a word was spoken throughout the camp. It was a little foggy, so that we could not perceive objects until nearly sunrise. When to our great astonishment, we found the whole of the enemy's army had retreated in the night, leaving only a few tents standing, and a number of his wounded men on the ground. The next day several deserters from the French regiment joined us and gave information of Tippo's sudden retreat, that he had received news of the death of his father, Hyder Ali, in the evening, and immediately after dark he commenced his retreat for Seringapatam.''

Hyder Ali's death occurred on December 7th, 1782, but the news was concealed and Tipu received no intelligence of it until the night of December 11th or morning of December 12th. General MacLeod characterized it as

> ''one of the most important events which could happen at this time to the honorable company and to India.''

It was important also that intelligence of this fact should be conveyed to the Governor of Bombay and the Admiral of the fleet at the earliest possible moment. For this service, General MacLeod selected Beare, and Beare made the voyage in what was called a ''Pattamar''. Pattamars were a class of vessel which were considered the best sailers in India. Low says of them, Vol. I, p. 170—note:

> ''They belong principally to Bombay merchants and carry on the whole of the coasting trade to that port.

> They are grab-built and the dimensions of the large class are 76′ 6″ in length; 22′ 6″ in breadth; 11″ in depth and about 200 tons burthen.''

A copy of the letter which Beare carried to the Governor of Bombay has been discovered among the ''Proceedings of the Select Committee at Bombay Castle, 28th December 1782'', and is set forth below. Before quoting it, however, we set forth the account which Beare gives in his outline journal of this adventure. After referring to the fact that Tipu retreated to Seringapatam upon learning of the death of his father, Beare says:

> ''This news was deemed of such importance to the British government that at midnight I was sent for by the General, to know if I would undertake to convey this intelligence, in an open boat (called Pattamar) to the governor of Bombay * * *. I had no time for reflection, but immediately consented, was told there was a boat, all manned and provisioned, for the undertaking; was only allowed time to get a few changes of linen, my quadrant and books. Within one hour, I was in the boat and had commenced my dangerous voyage. At daylight, having advanced at least ten leagues from the ship, I began to inspect into the quality of the boat and my stock of provisions. The boat was an extremely fast sailer. But being only about sixteen inches out of the water, the sprays of the sea came constantly over us, having no covering or bed but my boat cloak. The crew was composed of fourteen black Malabars who could not speak a word of English and who were only accustomed to keep close in with land.
>
> ''When I came to inspect into the provisions, to my great mortification I only found two bags of rice, one of beans, one live goat and a few bunches of onions. I made but a poor breakfast, being too far advanced to return. The whole coast was in possession of the enemy. On the fourth day at noon, being off Mangalore, Hyder Ali's capitol seaport distant four leagues, I observed several armed boats coming out in pursuit of us. I immediately stood out to sea, the boats after us

well armed and full of men. One of them came so near that we could hear them cheering. I encouraged the crew by promise of money to assist with their oars, for they knew as well as myself that if we should be taken instant death should be our lot. The wind freshened in the afternoon, and we began to gain ahead of them. About five o'clock they gave up the pursuit to my great relief, after which I avoided the coast. On the twelfth day after my departure, I landed with my dispatches at Bombay, was honorably received by the Governor and the Admiral. I was immediately taken on board the Superb of 74 guns, the Admiral's ship, for promotion, and received a handsome sum as a present from the Governor, to fit me out in grand style, being invited to the Admiral's table at least three times a week during our stay at Bombay."

The letter which Beare carried is as follows and it is reproduced below as it is recorded in the "Proceedings of the Select Committee at Bombay Castle":

"P. M.
Hyder Ally
Caun
Advice of
his death.

Received per Boat express the following Letter from Lieutt. Colonel MacLeod containing the important advice of the death of the Nabob Hyder Ally Caun.

"Macleod,
Col.
Letter
from

"Honble. Sir and Gentlemen

"I am induced to send off the swiftest Boat I have to convey to you the earliest intelligence of one of the most important events which could happen at this time to the Honble. Company and to India. Hyder Ally is dead. The Vakeel of the Cochin Rajah who attended Hyders Camp writes to his Master that he was seized with a flux and after 15 days illness expired.

"This News probably came to Tippoo Saib on the Night between the 11th and 12th Instant for on the Morning of the 12th he decamped from Tirnivay and has proceeded by rapid Marches to Palacutcherry. I sent People to follow him and report his progress from different Stages. He is moving quickly Eastward.

"I will not presume to point out to your Wisdom the very great consequences which may result from this event; if, as is probable, the succession is disputed between his sons, the greatest advantages to the Company may accrue. I can only say that it will give me the highest joy to contribute under your orders to the general success. Private Letters to the Gentlemen of the Army have mentioned your intention of dispatching General Matthews immediately to this part of the Coast with great reinforcements; certainly the sooner all your resources of policy and arms are put in motion in so critical a juncture, the better. On my certainty of Tippoos motion I instantly put every thing in motion to get the army ready to go wherever they may be ordered. I am shipping our heavy Goods and Stores and collecting Munchas, Patemars, Muckwas, Bullocks and Coolies. Of all these I found the Army very destitute owing to the Enemy's superiority and the pusillanimity of the Country People, who never assist the weakest side.

"Agreeable to an Instruction of yours, I ordered a Court of Enquiry on the Conduct of Captain Brownrigg relative to the blowing up Chetwah. I have the honor to enclose their Proceedings.

"I have some other little matters to mention, particularly about the Engineer Department, which I shall defer from haste. I have promised the Master of the Boat 100 Rs. additional Reward if you find that he has been expeditious.

"I have the honor to be with the greatest

Your most obedient Servant

NORMAN MACLEOD

Panany
Decr. 18th 1782."

While it appears from all the information available that Tipu learned of his father's death by December 12th, the exact date when the news was received by Col. MacLeod does not appear with certainty. Beare's statement and the letter of Col. MacLeod indicate that Beare started on this undertaking immediately after he received orders to do so. It seems probable that the information as to Hyder Ali's death did not reach Col. MacLeod on the day following its receipt by Tipu. Col. MacLeod's letter indicates that the source of his information was derived from the fact that

> "the Vakeel of the Cochin Rajah who attended Hyder's camp writes to his Master that he (Hyder Ali) was seized with a Flux and after 15 days' illness expired."

Moreover, the letter, itself, carries the date "Panany, Decr. 18th, 1782". Beare's statement is that he arrived with his letter after twelve days. The "Proceedings of the Select Committee at Bombay Castle" show that a consultation was held by the Bombay authorities on December 30th, when the contents of Col. MacLeod's letter was debated and the report was "now given entire credit to". (See Bombay Select Committee Consultation, Vol. 68, pp. 965-966.) If Beare left Paniany December 12th he would have arrived at Bombay on December 24th and it is unlikely that the Bombay authorities would have delayed giving consideration to the matter until December 30th. If, on the other hand, Col. MacLeod did not get the information on December 12th, but received it on December 18th, the day his letter is dated, and Beare's statement that his voyage took twelve days is correct, the latter would have arrived at Bombay with his letter on December

30th, the precise day when the minutes of the Proceedings of the Select Committee show that the matter was taken under consideration by them.

Beare records that after this expedition he was taken on board the *Superb,* the Admiral's ship, for promotion. The admiralty records show that he was formally discharged from the *Juno* and entered upon the *Superb* January 23rd, 1783. On March 15th, 1783, he was advanced to the position of midshipman while serving on the *Superb* and was discharged on April 21st, 1783, "on preferment". While the muster rolls of the admiralty show that Beare continued on the *Juno* until January 23rd, 1783, there can be no doubt that Beare, as he states, actually went on board the *Superb* after the delivery of General MacLeod's letter and the entry in the muster rolls only means that Beare was formally transferred from the *Juno* to the *Superb* on January 23rd, 1783. It is for that reason that we have not set forth herein the activities of the *Juno* after December 12th, 1782, when Beare embarked on his journey to Bombay.

It would seem most improbable that after Beare delivered Col. MacLeod's letter on December 30th he returned immediately to the *Juno,* when it was the intention formally to transfer him to the *Superb* in a few weeks, most of which time would have been consumed in returning to the *Juno.*

The Burning of the *Duke of Atholl.*

While Beare was on board the *Superb,* an event occurred of considerable interest, to which he makes reference, namely, the burning of the East Indiaman, the *Duke of Atholl.* Beare's outline journal referred to it in considerable detail. The log of the *Superb,* which was moored at Madras Roads from April 14th to May 1st, 1783, contains the following entry under date of April 19th, 1783:

> "April 19. at ½ past 2 arriv'd here His Majestys Ships *Sultan, Burford, Africa, Eagle* and *Active*

> frigate. Midle part calm A. M. light breeze and cloudy. at 7 the *Duke of Atholl Indiaman* made signal of distress, saw a great deal of smoak on board her, made the signal for all boats to assist her, at 8 she blew up and sunk immediately, but Lieutenant Charles Eagan and all the boats crew wounded, and our Cutter entirely stove to pieces, made several ships signals for Petty Officers." (Admiralty Records. Masters Logs. 52/2531.)

In the account which Beare gives of this incident, he makes reference to the fact that after the *Duke of Atholl* had caught fire, he was ordered with several others to go along side of her in a cutter and that while he was in this position, the fire reached the powder magazine and the boat exploded and that his cutter was "blown asunder". It will be noted that in the entry in the Log of the *Superb* quoted above, it is stated

> "our cutter entirely stove to pieces".

In the "Vestiges of Old Madras—1640-1800" by Henry Davison Love (Indian Record Series, published for the Government of India, London, John Murray, 1913) is a reference to the burning of the *Duke of Atholl* and an account of the occurrence which is taken from the Public Consultations, Vol. CXXX, 25 July 1783. It is as follows:

> "On the 16th April 1783, the *Duke of Athol,* Capt. James Rattray with seven other company's ships, arrived at Fort St. George under convoy. Three days later she took fire, and at 7:30 A. M. blew up in the roads:
>
> Fort St. George to Bombay Castle 'We were much concerned at the information you gave us of the ship *Fairford,* and we are sorry to acquaint you that a similar accident happened to the Honble Company's ship Ship *Duke of Athol* on the 19th April last whilst at anchor in the Road of Madras, which was unfortunately attended with a totall loss of the Cargo and the greatest part of her crew, besides several offi-

cers and about one hundred Seamen belonging to his Majesty's Squadron, who went to their Assistance' ".

Beare's account of the incident is as follows:

"I left Bombay in the *Superb* and arrived at Madras with the fleet early in April. On the memorable twentieth of that month eighteen sail of the East India Company's ships arrived full of troups. One of which (the *Duke of Atholl*) caught fire on the lower deck, and in a few minutes the smoke issued from every part of her. Every boat with engines, and other assistance, was dispatched by the fleet of men of war, consisting of seventeen sail of the line. I was ordered in the cutter, with nine men, myself, and a young midshipman. On getting alongside of her we found the flames making rapid progress. I was ordered to proceed under her bows, and if possible, to cut a hole to let the water into her magazine of powder. I had scarcely reached my station, before the fire communicated to upwards of three hundred barrels of gunpowder and she blew up with a most terrible explosion, which cannot be described. The sides of my boat were blown asunder but I clung to the remnant with several of the crew. It was a perfect calm. I conceive it must have been several minutes before the vast column of smoke ascended, when it presented the most awful spectacle I ever beheld, or can be conceived. It appeared to me for the moment like the day of judgment. That noble new ship of 1000 tons, having on board three hundred and seventy-five Hanoverian troops, a crew of one hundred and fifteen officers and seamen, besides one or two hundred officers and men from the men of war, in one moment blown in the air in every direction. The hull sank in five fathoms water, but the masts and yards were thrown some of them one mile from the spot. When the black volume of smoke ascended, it presented to our view four to five hundred poor fellows in the water each endeavoring to save himself on pieces of the wreck. The sides of my boat still floating were the means of saving one black nurse, the doctor and the

> cooper of the ship. By his negligence in drawing off liquor, the accident happened. I lost a young midshipman of noble family and three seamen, one of whom was fractured in the skull, sent to the hospital at Madras, found his way to this country and, on my arrival at New York twenty years after the accident, Captain Malaby informed me he was the person, to my utter astonishment. Our loss of life from the navy was one Post Captain, seven Lieutenants, twelve Midshipmen, and seventy-seven Seamen."

Beare states that the next morning he was appointed a lieutenant and assigned to his old and favorite ship, the *Juno.*

An examination of the Muster Rolls would indicate that Beare was appointed midshipman on April 21st, 1783, and was not appointed lieutenant until September 4th, 1784, but this is contrary to the fact. The statement which Beare makes in his outline journal is absolutely correct and borne out by the entry in the Log Book of Captain James Montagu of the *Juno* under date April 22nd, 1783:

> "Came on board Mr. Henry M. Beare and took command as second lieutenant."

The reason for this discrepancy arose from the fact that the Muster Rolls failed to record the promotion which took place while he was at sea and which is fully established by the entry in the Log Book of the *Juno* quoted above. At that time, the *Juno* was still under command of Captain James Montague and was moored in Madras Roads.

The English forces captured Cundapoor on January 16th, 1783, and shortly thereafter Mangalore. Neither the Log of the *Juno* nor that of the *Superb* during this time makes any comment upon these incidents other than to show that they were in the waters near these points. It may be that detachments from either or both of these vessels took part in these battles. Beare's outline journal points out that he was appointed as a Lieutenant:

> "into my old and favorite ship, the *Juno,* of 32 guns, Capt. J. Montague. We were ordered immediately to the Malabar coast where we assisted at the capture of Mangalore, Cundapoor, and Onore. At the latter place we took in the fort thirteen chests containing 150,000 pagodas in gold. I had the pleasure of guarding them for one night by sleeping on the chests with my guard. The next morning they were shipped off to Goa, a Portuguese settlement, for safe keeping. But we never heard of them afterwards. * * * From thence we landed at Beypoor, and destroyed a large town and burnt one line of battle ships, and one frigate all building."

The Log of the *Juno* shows, under date of January 5th, 1783, that she anchored in Onore Roads and fortified the island near there and that a heavy cannonade against the fort was commenced and the troops stormed the fort and took it, but if Beare remained on the *Superb* after the delivery of the MacLeod letter, as he said he did, it is not clear how he could have participated in that engagement against Onore unless he did so while he was attached to the *Superb.* The Log of the *Superb* shows that she was in that vicinity about that time but makes no mention of the storming of the fort.

The Battle of Cuddalore and the Incidents Leading up to it.

The Log of the *Juno* from April 21st, 1783, when Beare took command as second lieutenant, shows that from that date until the eve of the battle of Cuddalore she was receiving signals from the Admiral's ship, occasional signals to give chase to other vessels, "exercising the great guns" and looking out for enemy vessels. On May 24th, 1783, the *Juno* was at Point Pedro, which is the north end of Ceylon Island, showing that by that time she was making her way toward Cuddalore. On May 25th, 1783, the *Juno* sighted the French fleet in Back Bay (perhaps Palk Bay), consisting of nine sail of the line and two frigates. May 26th was "squally weather" and the *Juno* received a signal from the Admiral to chase:

> "The ship was cleared for action and fired four shot at the chace to bring her to. She proved to be a Portugeze from Goa to Madras."

The Log of the *Juno* on May 31st notes that at five she:

> "made signal for seeing the French fleet anchored in Back Bay".

and later made another signal that she had seen a strange sail in the northwest and received from the Admiral a signal to chase. At 10 o'clock the French fleet was sighted in Back Bay. On June 7th the Admiral made signal for sailing from Trincombar Roads, where the *Juno* had that day anchored. On June 13th the *Juno* made sail in company with the fleet.

On June 14th the Log records:

> "At 3 (she) came to off shore 2½ miles. The flag staff at Cuddalore N. b W. 7 miles. At 6 A. M. the lookout ship made the signal for the enemy's fleet. At 8 saw them (consisting of 19 sail) forming a line ahead. At ½ past, Admiral made the signal to prepare for sailing. At 10 the headmost of the enemy's fleet S. S. E. ½ E. 3 Leagues. At noon the Enemy S. S. E. 7 miles."

The Log records the actions of both fleets, June 15th:

> "P. M. Hove short and cleared ship for action. At 4 the Enemy's fleet S. S. E. ½ E. 7 miles. A. M. Heard several guns at Cuddalore. At daylight the Enemy at anchor S. E. b S. 4 leagues."

June 16th:

> "At 4 P. M. Admiral made our signal to chace. Hove up and made sail. At 2 A. M. saw the enemy under way bore down to the fleet and spoke to the Admiral. At 6 boarded a Danish Pattamar which past thro the enemy's fleet. At 10 saw 2 strange sail in the offing

made the private signal which they answered. At noon our fleet at anchor N. ½ W. 3 miles, the enemy S. E. b E. 4 miles

June 17th:

"At 1 P. M. Admiral made signal for weighing. At 2 he made the signal to form the line ahead. Sent 60 men on board the *Cumberland.* At 7 the enemy S. W. 3 miles, the Admiral S. W. b S. ½ a mile. At 4 A. M. the enemy S. W. 5 or 6 miles, the Admiral on our weather Bow within hail. At 15 minutes past 5 the Admiral made signal for the line ahead, the enemy W. b S. 2 or 3 leagues. At 45 minutes past 11 hauled down the signal for the line ahead. Fired 9 guns in repeating the Admiral's signals these 24 hours."

June 18th:

"At 4 P. M. the enemy's fleet under the land N. N. W. 5 leagues. At 41 minutes past 4 Admiral made signal for the Line abreast. At 4 a. m. Admiral made signal for us to look out ahead, made sail. At 7 saw the French fleet at anchor under the land bearing N. b W. 3 leagues. At 8 joined the fleet H. M. Sloop *Hound.* At 5 minutes before noon the Admiral made signal for the Line ahead, the enemy N. W. 4 miles. Fired 3 guns in repeating the Admiral's signals these 24 hours.

June 19th:

"At 4 P. M. the enemy N. W. ½ W. 3 or 4 miles—at sunset the enemy N. W. b. W. 3 miles the Admiral N. N. W. ¼ of a mile. At 8 A. M. saw the enemy bearing N. W. b. N. 4 Leagues and the land N. W. 6 Leagues. At ½ past 10 admiral made the signal to form the Line ahead. At noon the enemy's centre N. W. 3 leagues. Fired 7 guns in repeating this days signals."

June 20th:

"At ½ past 1 Admiral made signal for the Line ahead which was hauled down at 18 minutes past 4. At sunset the enemy's centre North 6 miles the land from S. W. to N. W. off shore 5 miles. At daylight Trin-

> combar W. b S. 6 leagues. *Medea* made the signal for seeing the enemy's fleet. At 6 a. m. Admiral made signal for the line ahead. At 37 minutes past 11 he hauled down the signal for the Line. At noon the enemy's centre S. W. b. S. 2 leagues. Fired 13 guns repeating this days signals."

On June 21st the engagement took place, and the Log entry is as follows:

> "At 2 minutes past meridian Admiral made signal for the Line East and West at 28 minutes past Admiral made signal for the Line N. E. and S. W. also the signal for his second astern to close nearer him at ½ past wore and stood towards the fleet at 18 minutes past 1 Admiral made signal for the line ahead at 2 cables length asunder at 40 minutes past Admiral made signal for the line to close to one cable's length asunder at 48 minutes past wore per signal at 3 minutes past 2 the enemy bore down, at same time Admiral made signal for his second astern to close him nearer at 55 minutes past he repeated the same signal. At 3 edged down to leeward of the Line at 40 minutes past the enemy fired a shot, which fell short of our Line at 58 minutes past the enemy began firing upon our centre, which was returned and the action commenced on both sides. At 4 Admiral made signal for engaging the enemy's Centre S. W. b S. 1½. At 32 minutes past 5 Admiral made signal for his second astern to close him nearer: At 57 minutes past the signal (under that for the Line ahead) for the fleet to close to one cable's length asunder, was either shot away, or hauled down. At ½ past 6 the firing greatly slackened. At 7 the action ceased on both sides at ½ past 7 hauled down the signal for the Line and that for engaging. At 8 the centre of our fleet S. S. W. at 25 minutes past Admiral made signal to wear and make sail on the other tack: Wore: the enemy W. S. W. 3 miles. At midnight, Admiral W. S. W. ¼ mile and the Enemy's Light's N. E. b. N. 5 or 6 miles. A. M. At 1 spoke the Gibralta: at 3 spoke the Admiral: at 4 Admiral N. b W. 1 mile.

> At 8 Admiral N. W. 2 miles. *Medea* made signal for 2 strange sails in the N. W. At 10 sent the boat on board the *Cumberland*: at ½ past she returned with 3 of our men wounded. Fired 9 guns in repeating this days signals."

In considering the entries in the *Juno's* Log showing the participation of that ship in the Battle of Cuddalore, it will be borne in mind that Beare in his outline journal commented on the fact that

> "on the memorable 20th of that month (April) 18 sail of the East India Company's ships arrived full of troops".

Clowes points out that:

> "On the 10th of April (1783) Vice Admiral Hughes, returning from Bombay, passed Trincomale on the way to Madras." (Vol. III, p. 561.)

And that occurrences since the battle of September 3rd:

> "had reversed the naval odds, and Hughes now had eighteen ships of the line, one of which was an eighty, opposed to fifteen under Suffren".

Among these occurrences, he notes as important in the affairs of India the death of Hyder Ali on December 7th, 1782, and adds:

> "Although his policy was continued by his son, the blow to the French was serious. Under all the conditions the British authorities were emboldened to attempt the reduction of Cuddalore. The army destined to this enterprise marched from Madras, passed round Cuddalore, and encamped south of it by the shore. The supply-ships and lighter cruisers anchored near, while the fleet cruised to the southward, where, being to windward, for the south-west monsoon had then set in, it covered the operations against disturbance from the sea. Towards the beginning of June the investment of the place was complete by land and water." (Clowes, Vol. III, pp. 561-562.)

Intelligence of this condition was brought to Suffrein, who immediately left the Port of Trincomale. He sighted the British fleet on the 13th of June, 1783, then at anchor off Porto Novo, a little south of Cuddalore. For several days the fleets manoeuvered and were embarrassed by the winds.

> ''On the 20th of June'', says Clowes, ''the wind holding at west with unexpected constancy, Hughes decided to accept the attack which Suffrein evidently intended * * *. The action lasted from shortly after 4 P. M. to nearly 7, and was general throughout both lines; but, as always experienced, the rears were less engaged than the centers and vans. No ship was taken; no very important spars seemed to have been shot away. The loss of the British was 99 killed, 434 wounded; of the French, 102 killed, 386 wounded.'' (Clowes, Vol. III, p. 562.)

Next morning Suffrein anchored twenty-five miles north of Cuddalore.

> "There", says Clowes, "he was sighted on the 22nd by Hughes, who had remained lying-to the day after the fight. The British Vice-Admiral reported several ships much disabled, a great number of his men—1121—down with scurvy, and the water of the fleet very short. He therefore thought it necessary to go to Madras where he anchored on the 25th. Suffrein regained Cuddalore on the afternoon of the 23rd. His return and Hughes' departure completely changed the military situation."

Clowes concludes his account of the battle by saying:

> ''The battle of June 20, 1783, off Cuddalore, was the last of the maritime war of 1778. It was fought, actually, exactly five months after the preliminaries of peace had been signed (January 20, 1783). Although the relative force of the two fleets remained unchanged, it was a French victory, both tactically and strategically; tactically because the inferior fleet held its ground, and remained in possession of the field; stra-

> tegically, because it decided the object immediately at stake, the fate of Cuddalore, and with it, momentarily at least, the issue of the campaign. It was, however, the triumph of one commander-in-chief over another; of the greater over the lesser. Hughes' reasons for quitting the field involve the admission of his opponent's greater skill. 'Short of water'—with 18 ships to 15 that should not have happened; 'injury to spars' that resulted from the action, '1121 men short'—Suffrein had embarked just that number—1200—because Hughes let him communicate with the port without fighting. This is not the place, nor is there room, for enlargement upon the merits of Suffrein, upon the difficulties he surmounted, and the genius he showed. He was a great sea captain, Hughes was not; and with poorer instruments, both in men and ships, the former overcame the latter. On the 29th of June a British frigate, the *Medea,* bearing a flag of truce reached Cuddalore. She brought well authenticated intelligence of the conclusion of peace and hostilities ceased by common consent." (Clowes, Vol. III, pp. 563-564.)

The list of ships in the British fleet that participated in the action off Cuddalore on June 20th, 1783, includes the *Juno,* 32, under command of Captain James Montagu, upon which ship Beare was then serving in the rank of lieutenant. In giving an account of this battle, we have quoted from and followed that given by Clowes in his authoritative history. After a long time had elapsed he weighed the results of that engagement with his customary impartiality that makes his work so valuable a contribution to the naval history of England. But it would be incorrect to assume that this impartial view, expressed long afterwards, when the enthusiasms of the moment had died out, and which was formulated in the cold light of historical accuracy, was the view which the participants in that engagement took of it, or that this was the view which was generally taken by other British naval historians. The fact that no ships were taken and that in the morning after the battle, Suffrein had anchored twenty-five miles north of Cuddalore might easily have led the British fighting forces to conclude that in fact they won the victory rather than that the battle had resulted in a draw. It would not be hard to persuade the rank and file, at least, among the British forces that such was the fact. It is quite natural, therefore, that Beare should have pointed out that:—

> "At daylight (the next morning), we found the French fleet had *retreated* to Pondicherry",

which place is, in fact, about twenty-five miles north of Cuddalore; yet Beare makes no claim of British victory except as such a claim may be inferred from the use of the word "retreated". In fact he points out that when the engagement terminated

> "both parties were so disabled they could not renew the action".

While, from such information as has been obtained, we do not doubt the accuracy of the account given by Clowes of this battle and of the whole campaign against the French in the Indian seas, it is, nevertheless, interesting to compare it with the account which Beare has given, which will follow. In doing this, it is interesting, also, to have before us the account of this whole campaign as given by Yonge, who always finds it difficult to refrain from expressing claims of a British victory, even where the more impartial judgment of Clowes frankly concedes a victory to the French. Thus Yonge sums up the whole campaign:

> "In the course of less than a year and a half no fewer than five fierce battles took place between the two fleets, in no one of which was any such decisive advantage obtained as the capture of a ship of war; but in every one of which the honor of a barren victory remained with our commander, who, in point of force, was never superior and was only once equal to his foe, and who in every instance compelled him to retreat with a loss far greater than that which he had inflicted. In the first action, Hughes did, indeed, cut off

> five or six trading vessels from the transports, one of which had three hundred troops on board, and a valuable cargo of military stores, and in the third he even claimed to have compelled *Le Sevère,* 64, to strike; and the French appear to have admitted the truth of his assertion, though she succeeded in rejoining her comrades, and he was never able to take possession of her; but, as an offset to these advantages, he was unable, while refitting his ships, to prevent Suffrein from taking Cuddalore and recovering Trincomale. And, on the whole, the results of these battles, in which both sides displayed great courage at the expense of vast numbers of brave and valuable lives, may be looked on as very evenly balanced. The two fleets were preparing for a sixth battle when, in June, 1783, intelligence reached India that the preliminaries of peace had been agreed on between all the belligerent powers. A month or two later a definite treaty was ratified, but the signature of a preliminary agreement terminated the war. The restoration of peace was received with an universal welcome. All the nations concerned in the war had been in a great degree exhausted by it." (Yonge, Vol. I, pp. 401-402.)

In the light of these accounts, we shall have no difficulty in visualizing the events to which Beare makes a brief reference. After describing the events on the Malabar coast, to which reference has already been made, Beare says:

> "On the 21st of June (1783) we encountered the French nearly equal force in sight of the Danish settlement Tranquebar, when a most furious engagement took place from two o'clock P. M. until a quarter past seven, when both parties were so disabled they could not renew the action. At daylight we found the French fleet had retreated to Pondicherry."

As we have already seen, Clowes draws attention to the fact that on June 29, 1783, the *Medea,* bearing a flag of truce, reached Cuddalore with the news of the peace. He also points out that the preliminaries of the peace had, in fact, been signed January 20, 1783, so that the battle of Cuddalore had been:

> " * * * fought, actually, exactly five months after the preliminaries of the peace had been signed."

Yonge, in his account, states that:

> "In June, 1783, intelligence reached India that the preliminaries of peace had been agreed on by all the beligerent powers. A month or two later a definite treaty was ratified, but the signature of a preliminary agreement terminated the war." (Yonge, Vol. I, p. 402.)

The fact is, as Clowes points out, the fighting continued for five months after the preliminaries of peace had been signed and that the signing of this preliminary agreement did not, as Yonge states, "terminate the war."

Beare's statement is:

> "To our great regret and astonishment the Danish governor had received accounts from Europe *three days before this action* took place, of a General Peace. Although we were only five leagues distant from the shore, he neglected giving us the information. By so doing, he would have prevented this bloody battle and saved the lives of many brave officers and men on both sides. We returned to Madras when the French Admiral sent a frigate to congratulate us, and we feasted the officers for a week with us as if nothing had happened during three years of hard fighting. Thank God I escaped unhurt, although I lost a number of my most intimate friends."

Beare's statement that the Danish Governor had the information three days before the battle is not inconsistent with the statements of Clowes or Yonge.

The Sinking of the *Superb*.

The Log of the *Juno* after this date records nothing of any special interest except that several severe and damaging storms occurred. During most of October she was in the vicinity of Madras Roads. Her Log records that from November 4th to November 12th, 1783, she was

> "anchored in Tellicherry Roads".

It was during this time that the sinking of the *Superb* occurred. Beare, in his outline journal, gives an account of it. As usual, he does not give the year although he specifies November 4th as the day the fleet anchored at Tellicherry Roads and refers to the sinking of the *Superb*. Here the Admiralty Records again come to our aid and furnish us with the date. The Admiralty Records show, in reference to the *Superb* (Vol. 10,079), the fact that she was wrecked on the 5th of November, 1783, off Tellicherry. Beare says of this event:

> "We were attached to a squadron of five sail of the line, with the Admiral. We anchored in Tellicherry Roads on the Malabar coast on the 4th of November (1783). That place being besieged by an army of thirty thousand men under Tippo Saib. The whole seashore was lined by his troops. We were only two miles distant from the shore, when a most tremendous monsoon set in upon us in the night, which produced such a sea that it made a complete breach over us. We expected every moment our cables would part, and we should be driven on shore among those unmerciful fellows who would have no mercy on us. Our situation was deplorable for ten hours. When the gale subsided at daylight we found the Admiral's ship the *Superb* of 74 guns had struck upon an anchor belonging to a ship astern of her, which caused a hole in her bottom, and she was sinking. The Admiral with his secretary, and several land officers came on board of our frigate to save themselves. I was dispatched with three boats to save the Admiral's baggage, plate, and several chests of papers, and other valuables at a great risk of my life. Notwithstanding the gale had abated, a very heavy sea kept running all day. I made three trips with the boats, and succeeded in saving all that was most valuable to

> him, for which he paid me a high compliment and told me he should ever remember me.
>
> "Just before sunset her mast was cut away and she disappeared in a grand style by going down gradually, head foremost to the bottom. Thus finished the career of that noble ship, after having sustained four naval battles against Suffrein."
>
> "Sir Edward Hughes, on seeing her fate, shed tears (as he said) as if for the loss of a friend. All the crew were saved except fourteen, who got drunk below, and would not quit the ship. We proceeded from thence to Bombay, with the Admiral and all his officers on board our frigate. During our stay in port, the Admiral treated me with marked attention, and informed me to consider his table as my own. He was heard frequently to say, by his family, that he was indebted to me for all he possessed, by my exertions at the risk of my life at Tellicherry; and that he should never forget it. He returned to England and a few years after died in a fit of apoplexy without a will. All my expectations blasted, like a blank in a lottery."

While the *Superb* was lost, her Log Book was saved and is on file in the Public Record Office in London. Under date of November 5, 1783, her Log records that there were heavy rains, squally weather and a heavy sea from the westward wind, and contains the following entry of the last moments of that ship:

> "Wednesday 5. West. W. b N: W S W. * * * Parted the Best Bower Cable, let go the Sheet anchor, veer'd about 30 fm on the Sheet, found the Ship to strike very hard, Suppos'd to be on the *Sultan's* Anchor, emp^{d} having shot, Stores Provisions &c overboard to lighten her.
>
> "Thursday 6. W S W West N E S S E West. Strong Gales and Squally with a heavy Sea from the Westw^{d} the Ship striking very hard Abaft Pumps all going the leak encreasing on the Pumps, at the rate of 6 inches an hour, baled out of the after hold. Pumps all going, at 10. 5 feet water in the hold. at 12. 6 feet in the hold,

> made Sig^l of distress and repeated it every 10 minutes with a Gun, the wind veer'd round to the S SE, Pumps Constantly going and the Leak increasing so fast, that we could not take the advantage of the wind to go to Sea, at 4 AM 8½ feet water in the hold, cut away the Main and mizen Masts, boats emp^d taking the Men out of the Ship.
>
> "Friday 7. S E S S E E S E.
> fresh breezes and a heavy Swell from the Westward. employed getting the People out of the ship. Cut away the foremast. Found y^e ship settling very fast, A. M. at 8 returned on board with the boats to see if any Person had been left on board over night, found the *Orlap* deck blown up at 11 Lower deck blew up, at noon she went down, leaving only the upper part of her Poop above Water."
>
> (Admiralty Records. Masters Logs, 52/2531.)

The Log of the *Juno,* upon which Beare was serving at the time, contains the following entries in reference to the sinking of the *Superb,* and notes, under date of November 6th, 1783, that Vice Admiral Sir Edward Hughes came on board and that she hoisted the Admiral's flag:

> "November 6. Hard gales, heavy rain, with a large swell, at ½ past 12 the *Sultan* cut away her maintopmast, the fall of which carried away her Mainyard and foretopsail yard in the Slings. At 1 more moderate. At 2 the *Sultan* made signal of distress; hoisted out the boats and sent on board her 20 men a pump chain and a quantity of canvas buckets, she having sprung a leak, and still striking very hard on the ground. At 4 hove up the sheet anchor and hoisted in the boats: at 6 the swell fallen much: at 9 came on board Vice Admiral Sir Edward Hughes, the *Superb* making much water and being in great distress—at ½ past 9 hove up the best bower: at 10 the wind came off the land. hove up the small bower and stood further off the land: at 1 a. m. came to again with the small bower in 7 fathoms. at 2 the *Sultan* cut her cable and stood out to sea—the *Superb* making signals of distress, being on shore.

> At daylight sent all our boats on board the *Superb*. At 7 they cut away her mizen mast, and at 8 her main mast. At 9 hoisted Sir Edward Hughes' flag, made the *Isis's* signal for a Lieutenant. Boats of the fleet employed taking the men out of the wreck. At noon moderate weather.
>
> "November 7. All these 24 hours fresh breezes with incessant rain and a heavy swell from the Westward. Employed removing the *Superb's* men to different ships: the *Sultan* and *Bristol* in sight in the offing at 2 p. m. the *Superb's* foremast was cut away. At 5 the Combustion fireship went to sea. At 8 the men were all out of the wreck; hoisted in the boats. All these 24 hours the current running N. N. W. 2 miles per hour. Fired the evening and morning guns.
>
> "November 8. Moderate and cloudy with a great swell. Boats of the fleet employed at the wreck. At 11 a. m. the *Superb* sunk in her poop."

The only discrepancy observable between the official accounts of the sinking of the *Superb* contained in the Log Books and the account given by Beare is that Beare records that

> "all the crew were saved except 14 who got drunk below and would not quit the ship",

while the Log of the *Juno* under November 7th notes that:

> "at 8 the men were all out of the wreck, hoisted in the boats".

The Admiral apparently remained on the *Juno* until December 23rd, 1784, when he struck his flag and hoisted it on board the *Eagle*. The *Juno* was moored in Bombay Harbor from January 24th to February 9th, 1784. On April 5th and 6th, she was moored in Goa Roads. On April 14th, her Log records that she:

> "received 9 men from Tellicherry hospital per the Lizard Brig—Received also 74 Hanoverian Soldiers, with the women and children belonging to them, from Cannanore—at ½ past 8 weighed per signal and came to sail, as did the fleet."

From April 25th to September 18th, 1784, the *Juno* was moored in Madras Roads. Beare remained on the *Juno* until September 5th, 1784, when he was transferred to the *Bristol,* then under command of Commander James Burney. She was in Madras Roads from September 5th to October 9th, 1784. The Log of the *Juno* under date of September 5th, 1784, states:

> "came on board Mr. Nicholas Thomlinson and Mr. James Ward and had their commissions read as first and second lieutenants." (Admiralty Records, Captain's Log 51, line 496.)

The Log of the *Bristol* records, under date of Monday, September 6th, 1784, the following entry:

> "Came on board from the *Juno* Lieutenants Forbes and Beare."

It is evident that Thomlinson and Ward replaced on the *Juno* Forbes and Beare, and that the latter on that date commenced their service on the *Bristol.* The Log of the *Bristol,* kept by its commander, James Burney, records no events of any special interest during September, October or November, during which last month the ship was working up to the "Northward along the coast of Malabar". She was at anchor in Bombay Harbor in December, 1784. The Captain's Log of the *Bristol* contains no entry after December 19th, 1784. From that time on, we have to rely upon the Log of Carter Moore, Master. The Log records that the ship was in Bombay Harbor up to January 21st, 1785. It notes the different points where the ship was from time to time until April 24th, 1785. The entry in the Log under that date is as follows:

> "Came on board Captain Charles Hughes from the *Worcester* and superceeded Captain Donald Cambell. Read Captain Hughes Commission to the ships company. Saluted the *Commodore* with 13 guns which the *Commodore* returned with 11 Read also Mr. Robert Pringle's Commission to the Ship's Company as 2nd Lieut. who superceeded Mr. Henry Bear. Came as

> surgeon Mr. Alex^r Stewart from the Eagle and superceded Mr. Robert Forrest." (Admiralty Records. Master's Log. 52/2183.)

On that date, April 24th, 1785, Beare was transferred to the *Defense,* which was moored in Bombay Harbor. She was in command of Captain Andrew Mitchell. Her Log shows that on May 11th, 1786, the ship

> "Saluted General MacLeod on his coming on board with 13 guns and on his returning on shore with 13 ditto."

The Log shows little of any interest, simply noting the places near which the vessel was. On May 21st, 1785, was recorded:

> "At 5 A. M. made sail. At 8 saw something from the Masthead like a rock made the signal to the squadron for being in danger hauled to the windward what we took for a rock proved to be a dead whale, bore away and stood our course."

On October 6th, the *Defense* was off Cape Town. On October 18th she was moored in St. Helena Roads. On December 11th she was 160 miles off Ushant, and between December 16th, 1785, and January 1st, 1786, she was moored at Spithead. On January 31st, 1786, the Treasurer's pay book No. 503 in the Admiralty Office shows that the ship was "paid off on that day at Chatham", and that on March 29th, 1786, Beare received the pay that was due him.

Resigns from the Navy and Enters the Service of the East India Company.

Beare resigned from the navy at the time he was discharged from the *Defense* at Chatham, on January 31st, 1786. His outline journal omits all reference to the events intervening between his resignation from the navy and his marriage to his first wife in 1793 at the Isle of France, except that he mentions that he participated in an incident in

Toulon Harbor.* His outline merely records the fact that he married in 1793 after he had resigned from the navy. For some time, we were at a loss to know what became of him between 1786, when he resigned from the navy, and 1793, when he was married. Mr. Richard Holworthy of London, who made some searches for us in the Public Record Office, suggested that it was not uncommon at that time for officers in the British navy after they had resigned to enter the service of the East India Company. A search was therefore made of the records in London of the India office and these records disclosed that the course which Beare followed after his resignation from the navy was the identical course which Mr. Holworthy had supposed.

From these records, it appears that upon his resignation from the navy he obtained the position of second mate upon the East Indiaman *York*. When he went aboard the *York*, she was moored at the Downs and she shortly thereafter sailed for St. Helena and China, Beare acting during that voyage in the capacity of second mate. The *York* was under command of Captain William Huddart. The voyage which she made was her fifth voyage to India. The Log of the *York* is on file in the India Office. The Log showing the incidents of the voyage was not kept by Captain Huddart or by Beare, but by the officer serving on the *York* as first mate or first officer. The Log kept by the Captain is prefaced by a list of the ship's company as mustered in February, 1786, and in this Henry Beare appears as second mate, from which entry it would appear that immediately after Beare was discharged from the *Defense* on the 31st of January, 1786, he entered upon the *York.* The Log of the *York* shows that she was taking in stores from February 8th to 13th, 1786, and that on the 16th Mr. Card, the pilot took charge of the ship. From February 17th to March 3rd those on board were

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* The note in the journal is as follows: "I have only one more remarkable occurrence to mention, which was our wonderful escape out from Toulon harbor in the night, having entered it supposing it in the possession of the British. When we found our mistake we cut our cables and made all sail out again. The French opened all their batteries on us without effect. We gained the last battery about two o'clock in the morning and gave them a broadside, with three cheers. We succeeded in getting out clear from them, with the loss of six seamen killed, and twenty-one wounded." Having been unable to find independent corroboration of this event, we have included it only as a footnote, though we have no reason to disbelieve that the incident occurred as Beare recorded it.

> "clearing the ship for sea".

On March 4th she sent the pilot on shore at the Downs, then being off the Isle of Wight, and

> "set sail for St. Helena".

The Log shows a remarkable series of accidents and misfortunes during the voyage and also reveals that the discipline of the ship could not have been good. On March 6th and 7th there were heavy seas, the:

> "fortopmast and all the starboard and running rigging with topsail and yard topgallant mast and yard were swept away",

and they were unable

> "to save any part of the wreck".

Strong gales and a heavy sea continued during the next day, during which

> "Matthew Rogers fell from the main topsail yard overboard and was drowned".

March 7th to 16th were spent repairing the damage caused by the storm, and on the 17th

> "John Thompson fell overboard and was drowned".

On April 6th

> "At noon punished James Watson with a dozen lashes for stealing of beer out of the steerage."

On April 28th, is recorded bad and squally weather

> "split the main topsail, bent the second best, heavy swell from the S. E. at 9 A. M. carried away the fortopmast and both topgallant masts".

The balance of that day and the next were spent in repairing this damage. On May 3rd:

> "the main topsail tye broke and the lee fly block struck a soldier on the head who expired instantly".

On May 28th the Log records that a seaman was punished with a dozen lashes for insolence and disobedience to orders. The ship anchored at St. Helena on June 4th, and between the 12th of June and the 2nd of July the time was spent in:

> "landing the honorable company's cargo."

On July 3rd another sailor was punished with a dozen lashes for neglect of duty and abusive language to the chief officer. On September 24th the ship sailed for China. On October 13th the Log records that a sailor was confined

> "for mutinous behaviour in attempting to strike the fifth officer and making use of abusive language to the chief officer. At 8 A. M. punished him for the above crimes with a dozen lashes."

Under date of October 30th, the Log records:

> "At 2 P. M. saw breakers from the masthead bearing from N. b E. to N. E. b E. distant about 8 miles the break to an amazing height and appear very dangerous, suppose them the same that Captain Churchill saw in 1783."

On November 29th the Log records that Nicholas Everson, a seaman, departed this life and that his body was committed to the deep. At sunrise the ship sighted the coast of China. On December 7th, the Log records the ship anchored at Whampoa, and later:

> "being under weigh punished him (a sailor) with a dozen lashes, at the same time he was very riotous and endeavored to raise a mutiny by calling for assistance to his shipmates".

On December 18th, the sixth mate was reported to have

> "run from the ship",

and on the 20th, the quartermaster is reported to have

> "run from the ship".

On December 26th, the Log quotes

> "run from the ship 3 seamen",

and on January 12th, 1787, it notes the death of another seaman. Under date of March 29th, the following entry appears in the Log:

> "At 8 P. M. departed this life Captain William Huddart after a long illness",

and on the next day his body was sent on shore at Macow to be interred. On March 31st, the third officer, Mr. Andrew Grant, died. On April 27th, the Log notes that

> "John Whale fell overboard and was drowned".

On May 1st, the death of another seaman is recorded. On June 7th another sailor was punished

> "for refusing to obey a midshipman and for striking him".

On July 2nd, the first mate or first officer notes that the time was spent repairing the mainsail, and adds:

> "not having one I can trust to."

On July 3rd it is noted that

> "at noon a very large waterspout passed about ¼ of a mile to the stern of the ship".

On July 5th there were heavy thunder storms and two seamen were struck by lightning while repairing the best mainsail. On July 21st and 22nd the ship was taking in water and the hand pumps were kept going. On the 26th of July the coast of Africa was sighted and on August 23rd the ship landed at St. Helena. Between August 24th and September 8th, the time was spent in landing passengers and cargo and taking in wood and water and fitting the ship for sea. The ship embarked on her home voyage for England September

9th. There is little of interest in the homeward journey. On October 31st Mr. Pascal of Dover, the pilot, came on board and took charge of the ship, which anchored in the afternoon of that day in the Downs.

These details from this Log have been quoted to reveal the character of this voyage, characterized as it seems to have been, by many accidents, disease and death among the men, and poor discipline. The fact that Captain Huddart had been ill during most of the voyage, and died during the course of it, may account for some of these incidents. Certain it is, that the record of this voyage does not reflect credit upon the officer in charge of the ship. Beare, who was serving as second mate, must have noted the different character of seamanship and management that characterized this voyage from those upon which he had previously been engaged while serving in the navy. However this may be, it appears that Beare made no further voyage upon the *York*. (See Marine Records, Logs, Vol. 237 O. & P.)

The *York* anchored at Deptford November 15th, 1787. After this date, we have no record of Beare's activities until he enters as first mate upon the *Prince William Henry,* another East Indiaman. The probability is that between November 15th, 1787, and January, 1788, Beare had not severed his connection with the East India Company. The Log of the *Prince William Henry* begins at Deptford 28th January 1788. The ship was under command of Captain Ralph Dundas and was about to make her first voyage to Bombay. The Log of this ship is on file in the India Office. It shows the course and incidents of the voyage, and her return to Portsmouth on May 20th, 1789. It was kept by Captain Dundas, who seems to have been in active command of the ship throughout the voyage. The ship was in the Downs on April 17th, 1788, and on May 1st she sailed for Madeira, where she anchored on the 16th. May 18th to 27th were spent "landing the company's wine". She sailed for

Bombay on May 28th. On September 6th, 1788, she anchored in Bombay Roads, saluted the fort and

> "saluted General Meadows on his going on shore with 19 guns and Col. Abercrombie with 13 guns".

It would seem from the Log that General Meadows and Col. Abercrombie were passengers on board the ship but no list of them or of the ship's company appears in the Log. September 7th to October 22nd, 1788, was employed in unloading cargoes, scraping and cleaning the ship and making necessary repairs. On October 24th the ship took on board 350 bags of rice and sailed for Tellicherry. She anchored at Tellicherry on November 1st and unshipped the rice. She was at Bombay again in the early part of December, and from December 8th, 1788, to January 13th, 1789, she took in cargo and prepared for sea and sailed for England on January 14th, 1789. Under date of February 20th, the Log records:

> "Saw an albatross",

and on March 4th:

> "Saw a seal and a great many birds of different kinds, by which I supposed myself off the bank and that Cape Bona bore about N. ¾ W."

The ship anchored at St. Helena March 18th, 1789. It was off Portland and Dunoze on May 16th, and while off South Foreland on May 17th, 1789, the pilot came on board.

The Log of this voyage notes the death of two men during the voyage, the presence of sickness on board and the punishment of a few sailors, usually for stealing liquor. (India Office, Marine Records, Logs, Vol. 389, A. O. & P.)

We have no record of Beare's activities from the time the *Price William Henry* ended her voyage on March 17th, 1789, until January, 1790. During this time he was probably on leave.

In January, 1790, as mentioned above, Beare was examined as to his qualifications for first mate of the *Prince*

William Henry, and the examiners reported that he was then thirty years of age, had used the sea for eighteen years, made four voyages to India and was serving last in the same station as first mate of the *Prince William Henry.* (See Marine Records, Vol. 655, p. 88.) Brief as this record of the findings of the board of examiners is, it is of value as establishing several facts in Beare's career. In the first place, it states that he was thirty years of age at that time. This is in accord with the entry of his birth in the Wolborough Parish Register and with the statement made by Beare in his subsequent application for a license to marry his first wife at the Isle of France. In the second place, it is significant that the examiners found that at that time, when Beare was thirty years of age, he had used the sea for eighteen years, which thus establishes that he had been at sea since 1772 when he was twelve years of age. The examiners also found that he had already made four voyages to India.

As the result of this examination, Beare continued as chief officer of the *Prince William Henry* and, on May 26th, 1790, sailed from the Downs on board that ship in that capacity on the second voyage which the *Prince William Henry* made. The ship completed her voyage to Bengal. She was then under command of Captain Ralph Dundas and the Log of the ship on this voyage, which is on file in the India Office, was kept by him. The Log begins at Deptford January 25th, 1790. On February 5th the ship was at Gravesend. On March 12th it is noted that "four seamen ran from the ship". The ship actually set sail for Bengal on March 27th, 1790. For several days there were

> "strong gales and hard squalls, much rain and very high seas."

Under date of April 10th, 1790, there was

> "a great sea which entirely upset the starboard main channels. Found all the bolts drawn and broken. Wore ship and secured the main mast with the main testles and

> four pair of screws broken channels for present security. In consequence of the above accident at ½ past 6, having received the carpenter's report that it was impossible to repair the damage sustained at sea, immediately called a consultation of my officers, who with myself were of opinion unanimously that it was absolutely necessary to bear up immediately for port. The bowspirt being likewise in an unsafe condition and the wind from the N. W. we thought Cadiz a safer port to bear to than Lisbon, accordingly bore up immediately for Cadiz."

This accident, as the entry in the Log indicates, necessitated a change of course from that which the *Prince William Henry* had been expected or directed to take and later, in August, 1790, when the ship was anchored at Diamond Harbor, between Kedgeree and Calcutta, communications were addressed to Lord Cornwallis, then Governor-General of India, announcing the arrival of the ship, and explaining the circumstances which had made it necessary to put in at Cadiz instead of Lisbon. These communications will be set out later. The circumstance is noted here because the entry in the Log supports in all respects the communication which Captain Dundas and Beare, as chief officer, together with three other officers of the ship, sent to Lord Cornwallis.

Much time was spent in repairing, with the help of Spanish laborers, the damage caused by the storm. While repairs were in progress, the Log records, under date of April 12th, 1790,

> "Mr. Alexander Frazer, midshipman, fell overboard and was drowned. Every assistance was given to save him."

The ship sailed for Bengal April 21st, 1790. The Log notes other incidents of the voyage which are not of sufficient interest to warrant quotation. There are frequent references throughout on different days to the fact that:

> "Prayers were publically read to the ship's company",

and occasional references to the punishment of seamen. The entries in the Log of July 17th and 18th seem to show a combination of both activities. They are as follows:

> "A number of the soldiers behaving in a very mutinous manner confined 5 of the ringleaders in irons. Punished Richard King, one of the prisoners, with two dozen lashes and confined him again. Released Smith from confinement in the evening and two others in the morning upon promise of better behaviour in the future. Prayers were publically read to the ship's company and soldiers."

The ship anchored in Diamond Harbor, south of Calcutta, and a short distance north of Kedgeree, on August 6th, 1790. The following extract from "A Commercial Consultation held at Fort William (Calcutta) 20th August 1790" shows the report which Captain Dundas made to Lord Cornwallis of the accident which necessitated putting in at Cadiz for repairs:

> "The following letter from the Commander of the *Prince William Henry* was received on the 7th instant.
>
> Edward Hay Esq.
> Secretary to the Government.
>
> Sir,
>
> The bearer of this will deliver the Company's packet, and beg you will acquaint my Lord Cornwallis, that the *Prince William Henry* is safe arrived a little above Kedgeree.
>
> I have the honor to be Sir,
>
> Your most obedient humble servant,
>
> (Sd.) R. Dundas.
>
> Prince Wm. Henry
> 6th August 1790.

Read letters from the Commander of the *Prince William Henry, William Pitt,* and *Earl Fitzwilliam.*

Edward Hay Esq.
Secretary to the Government.

Sir,

In my letter this morning by the purser, I neglected mentioning to you my having 126 recruits on board, which I beg you will do me the favor to mention to Lord Cornwallis, in order that they may be disembarked as soon as possible.

I have the honor to be &c.

(Sgd.) R. Dundas.

Prince Wm. Henry
The 6th August 1790.
Diamond Harbour.

Edward Hay Esq.
Secretary to the Government.

Sir,

With this I take the liberty of sending copies of a consultation before we bore up for lading, also the carpenter's report of the state of the ship, which I am ordered to do, by my instructions from the Honable. Court Directors.

I have the honor to be Sir,

Your most obedient humble servant,

(Sd.) R. Dundas.

Calcutta.
The 16th August 1790.

"Consultation held on board the *Prince William Henry* 9th April 1790 at sea.

In consequence of the carpenter's report and our own inspection of the situation of the main channells, we are unanimously of opinion that it is absolutely necessary to bear up immediately for port, it being totally impossible to secure the main mast at sea, the Boltsprit being likewise in an unsafe situation, and the wind from the

N. Westward, we are of opinion that Cadiz is a safer port to bear up for than Lisbon, accordingly bore up immediately for Cadiz.

(Signed)
H. Baikey, 4th officer.
R. Baskett, 3rd officer.
Robt. Spottiswood, 2nd officer.
H. M. Beare, chief.
R. Dundas, Comr.

Edward Hay Esq.
Secretary to the Government.

Sir,

Agreeable to your orders to me this morning, I have examined the starboard main channells, and find all the bolts drawn, and most of them broke, the channells entirely upset and otherwise so much damaged, that it is impossible to repair it at sea.

I am, Sir, most respectfully,
Your obedient humble Servant,
(Sd.) Wm. Maxwell.

Prince Wm. Henry at Sea.
The 9th April 1790.''

(Bengal Commercial and Shipping Consultations, Vol. 81, pp. 133-138.)

The files of the India Office also contain the letter of Captain Dundas of the *Prince William Henry,* enclosing the application of Beare dated September 13th, 1790, to remain in the country for a period of three months after the *Prince William Henry* sailed in order to attend to his personal affairs. This permission was granted on November 6th, 1790, when Beare's resignation was accepted. The Marine Records, Vol. 655, p. 88, containing the description of commanders and mates examined for the several ships of the season of 1790, has noted on the margin opposite the report of the examiners that Beare ''resigned in Bengal''. (See General Letter

Comm. Dept. 6 November 1790, par. 65.) The following papers disclose the circumstances, and in "Bengal Letters Received" (Vol. 29), there is an extract from a commercial letter from Bengal to the Company under date of 6th November 1790, the 65th paragraph of which is as follows:

> "Mr. H. Beare, Chief Officer of the Ship *Prince William Henry,* has obtained our permission to relinquish his station and to remain three months in India after the departure of the Ship for the purpose of settling his private concerns.
>
> This indulgence has been conceded to Mr. Beare at the request of Captain Dundas, who parts with his Services from a particular Consideration of the Circumstances which induced him to solicit the Indulgence we have granted him, and the second and third officers are reported to be well qualified to fill the Stations that will be vacated by it." (Bengal Letters Received. Vol. 29.)

The following extracts from a Commercial Consultation held at Fort William (Calcutta), September 15, 1790, show the letters of Captain Dundas and of Beare to Lord Cornwallis, asking that permission be granted to Beare to resign and remain in the country for three months after the departure of the *Prince William Henry*:

> "Read Letters from the Captain and Chief Officer of the *Prince William Henry.*
>
> To Earl Cornwallis, K. G.
> Governor General in Council.
>
> My Lord,
>
> Allow me to lay before your Lordship a letter from Mr. Beare, my Chief Officer, requesting your Lordship's leave that he may remain in the Country three months after the departure of the *Prince William Henry* to Europe.
>
> I am concerned that anything should deprive me of the services of Mr. Beare, who has always conducted himself very much to my satisfaction, and is an active and deserving officer. But the circumstances of his

private situation are such as will not admit of withholding my request to your Lordship that you will be so good as to comply with his application, and as the gentlemen who are at present the second and third officers are well qualified to act as first and second, I hope that your Lordship will have no objection to their being promoted to those stations.

I have the honour to be with much respect &c.

(Sd.) R. Dundas.

Calcutta.
the 14th. September 1790."

"My Lord,

Finding it impossible to get my private concerns settled, during the stay of the Hon'ble Company's Ship *Prince Wm. Henry,* I beg leave to request your Lordship's permission to remain a few months longer for that purpose.

And as I have not the least intention of remaining in this country, I shall be happy to give any security to leave it within three months after the departure of the ship.

I have the honor to be &c.

(Sd.) H. M. Beare.
Chief Officer of the *Prince Wm. Henry.*

Calcutta.
the 13th September 1790."

These are followed by an entry in the "Bengal Commercial and Shipping Consultations" (Vol. 81, pp. 425-427), showing that Beare's resignation was accepted and permission to remain in the country accorded him. The entry in the "Commercial and Shipping Consultations" is as follows:

> "Agreed that the request of Mr. Beare be complied with, on the assurance of his proceeding to Europe in the course of three months after the departure of the *Prince Wm. Henry,* and that the second and third officers of that ship be promoted to the 1st and second."

The nature of these personal affairs of Beare to which reference is made is not disclosed with certainty from any record that we have been able to find, but from the other facts discovered in relation to Beare shortly thereafter, the inference to be drawn as to the nature of the personal affairs referred to is clear. Shipping lists and shipping registers disclose the fact that on February 12th, 1791, Beare was in command of the ship *Eliza.* The inference is, quite plain that when he resigned from the East India Company and asked leave to remain in the country three months, and gave Lord Cornwallis his assurance that he had no intention of remaining in the country for a longer period, he had determined not only to resign from the East India Company, but had resolved to take command of a merchant vessel of his own. By February 12th, 1791, he had either purchased or chartered the merchant ship *Eliza* and was in command of her on that date.

Beare takes Command of His Own Merchant Ship.

We have seen that Beare's probable reason for resigning from the service of the East India Company was that at that time he intended to take command of a merchant ship of his own. We have seen, also, that by February 12th, 1791, he was in command of the merchant ship *Eliza.* On March 22nd, 1791, the *Eliza,* with Beare as Commander, arrived at Bombay. There is another record also which shows that on October 24th, 1791, Beare, still in command of the *Eliza,* left Bengal and arrived again at Bombay December 4th, 1791. The records also show that on June 8th, 1792, Beare was in command of the ship *Hannah* and arrived at Whampoa in China after a voyage from Bombay. On November 5th, 1792, there is a record showing that he sailed from Bombay in command of the *Hannah.* (See "Bombay Commercial Consultations", Vol. 51; also "Canton Diary", 1790, Factory Records, China, Vol. 104, pp. 50, 112, 117, in India Office, London.)

Of these voyages in which Beare was in command of merchant ships of his own we have only slight records which indicate some of the ports from which these vessels sailed and at which they arrived and no Log Books to show the events which occurred from day to day.

While in command of the *Hannah,* Beare's voyages seem to have been between Bombay and Whampoa and his cargo seems to have consisted at different times of bales of cotton, sandlewood and

> "china ware, 385 chests, sugar candy 80 pec. soft sugar 5480 pecul; black tea, 405 pecul."
>
> (See Factory Records, China, Vol. 104, pp. 50, 112, 117, India Office, London.)

It was undoubtedly shortly after this time that Beare went to the Isle of France. The great probability is that he had made many voyages between the Isle of France and China, and other places prior to that time. At any rate, the next positive record which we find in reference to Beare is the application for a license to marry his first wife, which was made at the Isle of France on February 3rd, 1793.

II.

Beare's Activities from 1793 to 1802.

One of the difficulties experienced in endeavoring to trace the activities of Beare at sea is that he often describes the events but makes no mention of the name of the ship upon which he was serving. He does, indeed, make specific reference to the *Foudroyant,* the *Juno* and the *Superb.* The Admiralty Records which have been discovered show his service upon the *Juno* and the *Superb,* but they also show that he served on the *Medea,* the *Bristol* and the *Defence,* and yet in his outline journal Beare makes no mention of these ships, although his daughter attached to his journal a separate statement which shows that he was on the *Defence* as a lieutenant, in accord with what the Admiralty Records show. His outline journal makes no reference to his service with the East India Company or to his voyages on the *York* and the *Prince William Henry,* both of which voyages are verified in the records of the India Office and the Logs of these ships.

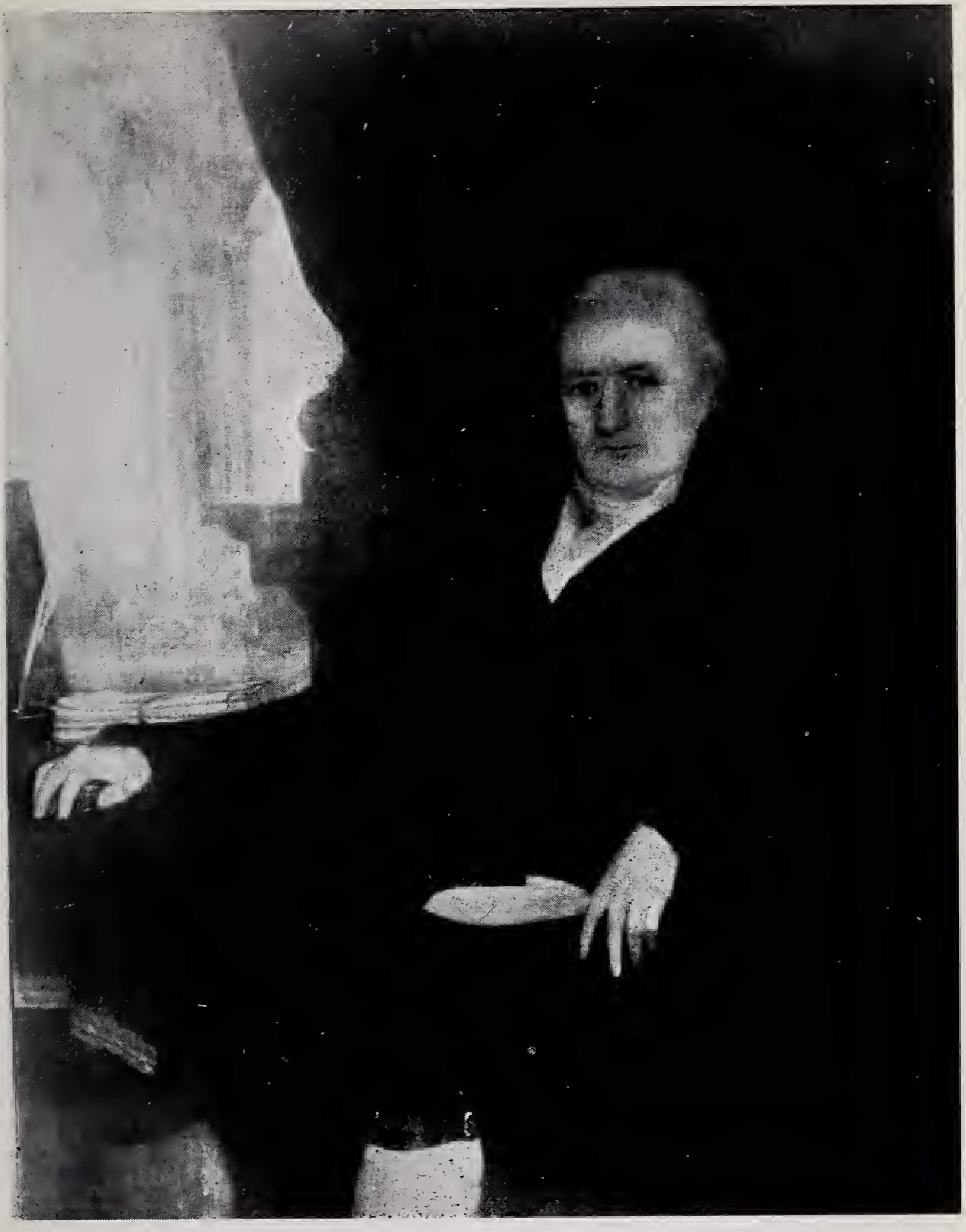
Beare's only record of the time intervening between his leaving the navy and his marriage in 1793 at the Isle of France is as follows:

> "Having left the navy, and commanding a ship of my own to China, and the Isle of France, at the latter place, I married the niece of Mr. Macarty, the American consul."

The public records, to which reference has already been made, establish the fact that he was in command of the *Eliza* and the *Hannah* during 1791 and 1792. These were merchant ships and were owned by him and engaged in voyages between China and the Isle of France.

Beare's Marriage to Elizabeth Macarty.

Beare's daughter endorsed upon the outline journal a statement that her father married in 1793 at the Isle of France Elizabeth Macarty, the eighteen year old niece and adopted daughter of William Macarty, a native of Hartford, Connecticut, who was American Consul at the Island. Until the marriage certificate from the Isle of France was discovered, this was the only information we had as to this marriage. We had no information as to the date, except that it occurred in the year 1793, and no information as to who the parents of Elizabeth Macarty were. The marriage certificate gives us information as to these particulars and contains a statement also of the names of Beare's parents and the place of his birth, which verifies in all respects the information previously derived from the Wolborough Parish



WILLIAM MACARTY

American Consul at the Isle of France 1795

From a portrait in the possession of Mrs. Emil deZarauz

Registers. The following is the translation of the certificate of marriage of Henry Martin Beare and Elizabeth Macarty:

> "Marr. of Henry Martin
> Beare and Elizabeth Macarty.
>
> "Extract from the Registers of the Acts of the Civil Status of the District of Port Louis, in the Island of Mauritius for the year 1793, Vol. I folio II (verso).
>
> "The third of February, one thousand seven hundred ninety-three, after the publication of banns announced for first and last time at the service of the parish mass yesterday, day of the Virgin, without any hindrance or objection being found to the future marriage between Mr. Henry Martin Beare, native of Newton, son of full age of Mr. John Beare and Mrs. Flora Beare, the father and mother, and Miss Elizabeth Macarty, native of Hartford, minor daughter of the late Mr. Francois Macarty and the late Mrs. Elizabeth Blanchard, her father and mother of this parish; furthermore, in view of the dispensing of the two other banns, of the betrothal and of domicile, granted by us, we, the undersigned, Apostolic Prefect, have received the mutual consent of marriage of the above mentioned parties, in the presence and with the consent for the future wife, of Mr. William Macarty, her uncle and her guardian ad hoc, and also in presence of Mr. Julien Dupuy, intendent, of Mr. Antoine Rivals, assembly deputy to the Colonial Assembly, of Mr. Charles Pilgrim, of Mr. Jacques Francois Joseph Des Forges, and also in presence of several other persons who have signed with the husband, the wife and the wife's guardian (s) H. M. Beare, E. Macarty, Wm. Macarty, R. Macarty, Rivals, Hurrelly, Charles Pilgrim, Desforges, Dupuy, R. Carsche, Darthé, pref, ap. (one word deleted)
> PLR cso. Pt. Louis"
>
> "A true extract
>
> P. L. Raynaud
> Civil Status Officer
> Port Louis."

From this certificate, it appears that Elizabeth was the daughter of Francis and Elizabeth Macarty and that she was a native of Hartford, Connecticut. She probably came to the Isle of France with her parents, when her uncle, William Macarty arrived there in November, 1790. Inquiries of the Department of State at Washington as to Mr. Macarty brought the response on November 23rd, 1928,

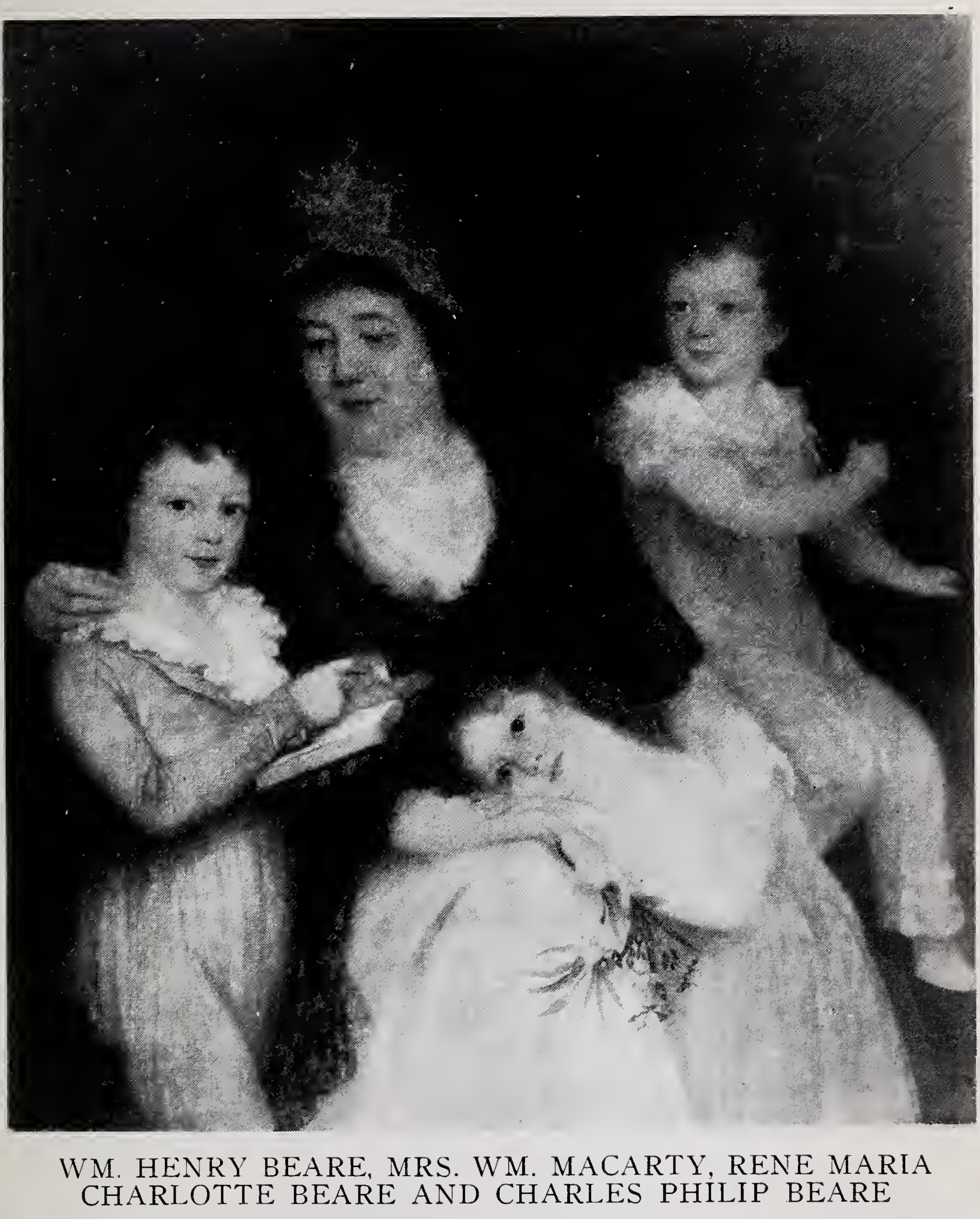
> "* * * that the records of the Appointment Section of the Department show that William Macarty was appointed consul at the Isle of France on May 29, 1794. The archives of the Department show that William Macarty went to the Isle of France in November, 1790, and that he received his commission as consul in 1795."

It may be that at the time of Beare's marriage William Macarty, who had been in the island for three years, was acting as consul, although, according to the records of the Department of State, he was appointed May 29th, 1794, and actually received his commission in 1795.

The marriage certificate recites that at the time of her marriage to Beare, Elizabeth Macarty was

> "minor, daughter of the late Mr. Francois Macarty and the late Mrs. Elizabeth Blanchard, her father and mother, of this parish".

From this statement, the inference can be drawn that "Blanchard" was not the maiden name of her mother, but that her mother was a widow at the time she married Francis Macarty. The ancestry of William and Francis Macarty, the uncle and father of Elizabeth Macarty, is not known to us. The records show that they were of Hartford, Connecticut. There was a William Macarty of Hartford, who owned a farm at Windsor, where he died in 1760 without leaving a will. Administration upon his estate was had at Hartford. His widow, Elizabeth Macarty, was appointed administratrix. His name appears as witness to a will at Hartford and in other documents which are of record there but



WM. HENRY BEARE, MRS. WM. MACARTY, RENE MARIA CHARLOTTE BEARE AND CHARLES PHILIP BEARE

From a portrait in the possession of Mrs. Emil deZarauz

which throw no light upon his family. The will of his widow, Elizabeth Macarty, dated 1768, is on file at Hartford in the Probate Division of the Supreme Court. She died in 1769. In her will she mentions ''my two eldest sons who are settled at a distance'' and names her son, Francis, as executor. The will also refers to a daughter named Elizabeth. There were several families of the name of Blanchard in and around Hartford, Connecticut. Abeil Blanchard, the son of William Thankful Blanchard, was born there in 1748. His father died in 1769, leaving property to Abeil Blanchard, who, with five brothers and sister, Elizabeth, are named in their father's will. In 1770, Abeil Blanchard married Elizabeth Church of Killingly, Connecticut. We have no record of the date of Abeil Blanchard's death. Whether this Elizabeth (Church) Blanchard was the ''Mrs. Elizabeth Blanchard'' who married Francis Macarty and was the mother of Elizabeth Macarty who married Henry Martin Beare, we have no evidence to prove. These references to the Macarty and Blanchard families in Hartford are submitted as containing suggestions which it might be worth while to attempt to verify.

Elizabeth's marriage to Beare is recited in the certificate to have been:

> ''in the presence and with the consent for the future wife, of Mr. William Macarty, her uncle and her guardian'',

and in the presence of others. It is significant that among those present was ''Mr. Antoine Rivals, Assembly Deputy of the Colonial Assembly'' to whom Beare refers in his outline journal as the person who, with his wife's uncle, Mr. Macarty, was instrumental a few years later in identifying Beare to the Revolutionary Assembly and thus securing his release from the arrest to which he had been subjected.

The oldest child of this marriage was William Henry Beare, who was born at the Isle of France on the 11th of March, 1794. At the time of his birth, Captain Beare was absent from the Isle of France and probably at sea on one of his numerous voyages. His son was born in the third year of the French Republic and while the Isle was in the control of the Revolutionists. The following copy of an extract from a Register of Civil Status establishes these facts:

> "William Henry
> Beare Macarty.
>
> Extract from the Registers of the Acts of the Civil Status of the District of Port Louis in the Island of Mauritius for the year 1794. Vol. I folio V.
>
> "The year one thousand seven hundred ninety-four, third of the French Republic, on Thursday, the fourteenth of March, at 11 o'clock in the forenoon, in the parish house of the city of the northwest port of the Isle of France, and before me, Barthelemy le Jannou, public officer of the said parish, appeared citizen Macarty, tradesman, residing in this port, Rue de l'Eglise, and citizen du Fay, merchant marine captain, residing in the same street, who declared that citizen Elizabeth Macarty, wife of citizen Henry Marten Beare, at present absent from this colony, gave birth on the 11th of the present month, at two o'clock in the afternoon, to a male child, which was brought before me and to which has been given the name of William Henry Beare.
>
> "In witness whereof, on said day, month and year, above mentioned, the parties have signed with me: (s) F. Dufay, Wm. Macarty, Le Jannou."
>
> "A true extract.
>
> Ph. Raynaud,
> Civil Status Officer
> Port Louis."

The Isle of France.

Until 1810, the Isle of France was a French possession. The Isle had been a source of assistance to the great

French Admiral, Suffrein, during the naval battles of 1782 and 1783. Beare had many affiliations with it; while in the navy he must have visited it often, his own merchant ships made their voyages between the Isle of France and China, he was married there, his wife's uncle was for a time American Consul there, and two of his children were born there.

The Isle of France is an island in the Indian Ocean. While the French were in possession of it it retained this name. It is now known as Mauritius and is a British colony. It is 550 miles east of Madagascar, 2300 miles from the Cape of Good Hope and 9500 miles from England by way of Suez.

Bernardin de Saint-Pierre lived there toward the end of the 18th Century and he has described it in his "Paul et Virginie". The island is difficult of access as it is surrounded by coral reefs. Until 1505, when the Portuguese navigator Mascarendas, discovered it, it was unknown to Europe. Upon its discovery it was uninhabited. No settlement upon it was effected until 1598, when the Dutch took possession of it and gave to it the name Mauritius in honor of Count Maurice of Nassau. The Portuguese had previously called it Illha de Cerné, from the belief that it was the island so named by Pliny. In 1715, when the French assumed control, its name was changed to Ile de France and from 1715 to 1767 its affiairs were conducted by the agents of the French East India Company. The British took it in 1810 and the Treaty of Paris in 1814 confirmed this possession. The treaty, however, provided that the inhabitants should retain their own laws, customs and religions but its name was again changed to Mauritius, the name the Dutch had originally given to it. Notwithstanding its long retention in British hands, the island is said to be largely French in language, habits and proclivities. Sugar planting has been one of the main industries of its inhabitants.

Beare Probably in Command of Brig *Grace.*

We have not as yet been able to discover any positive evidence that Beare was in command of the brig *Grace* in 1794. There is proof that in the middle of January, 1794, the brig *Grace* was in command of a Captain Beare of English nationality and was taken by French privateers and brought as a prize to the Isle of France. (See "New York Daily Advertizer" under date of April 29, 1794.) The last positive identification which we have of Beare being in command of a merchant ship before this date is that in 1792 he was in command of the *Hannah,* engaged in voyages between the Isle of France and China. It may be, in view of the circumstances recited, that some time in 1793 he became the owner and commander of the brig *Grace.* His marriage occurred in February, of that year, and it is probable that shortly after that time he went to sea again. The birth certificate of his son, William Henry Beare, in the Isle of France, in March, 1794, shows that at that time Beare was "absent from this colony". In his outline journal he says, referring to the latter part of 1794 or the early part of 1795, that his position at the Isle of France was rendered unpleasant owing to the fact that he was an Englishman and that a state of war existed between England and France. It was these considerations which led him to place the ship *Cleopatra,* which he purchased jointly with Mr. Macarty, under American colors. This determination may have been reinforced, if not induced, by the fact that his ship, the brig *Grace,* had been captured by the French and taken as a prize to the Isle of France in the previous year.

Voyage to New York in Command of the *Cleopatra.*

Beare, in his journal, says:

> "A war having just broken out between England and France I found it extremely unpleasant, being an Englishman, to remain there. I therefore jointly, with

> Mr. Macarty, purchased a large French ship mounting thirty-two guns, put her under American colors, and took Monsr. LeGuen a passenger, with a full freight of sugar and cotton for New York, where I arrived in safety."

The ship upon which Beare sailed as captain was called the *Cleopatra*. The records show her arrival in the port of New York before the 13th of April, 1795, from the Isle of France, the customs entry being in the name of Joseph Gouverneur. (I Johnson's Cases, 436, 516.)

Upon his arrival in New York, Beare records that he:

> "Found the state of affairs such as to presume a war would immediately take place between this country and Great Britain, two British frigates being off the hook. I was totally cut off from any communications with my family at the Isle of France. My ship with a cargo would be too valuable to risk, I therefore concluded to leave her under the care of Messrs. Gouverneur and Kemble and dispose of her to the best advantage."

In Walter Barrett's "The Old Merchants of New York City" (Vol. II, p. 200) there is a reference to the firm of Gouverneur & Kemble, of No. 94 Front Street, as follows:

> "As one item of the business, they did a commission business. The ship *Cleopatra* came consigned to them from the Isle of France; she was commanded by Captain Beare. G. and K. sold one invoice of sundry goods and the net proceeds were £54,095, or $135,488. G. and K's. commission, and they only charged two and a half percent in those days, was $3,387.20. That was seventy-six years ago when New York was small; but, even now, there are not many commission merchants who carry $3,387.20 to the credit of the 'Commission Account' in one line on one day."

This cargo of the *Cleopatra* which Beare brought to New York was the cause of a famous law suit finally decided in 1800 in the Court of Errors in New York and reported in 1 Johnson's Cases 437. The plaintiff in the suit was the Frenchman, Louis LeGuen, to whom Beare refers as having been a passenger in his voyage from the Isle of France to New York. In Walter Barrett's "The Old Merchants of New York City" (Vol. II, p. 254), speaking of the firm of Gouverneur & Kemble, he says:

> "The firm had an immense law suit with a Frenchman involving over $100,000. It was taken up to Albany. Aaron Burr and Alexander Hamilton were the counsel for the Frenchman LeGuen, and all the celebrated lawyers of the state were engaged upon it. It was decided against Gouverneur & Kemble and it killed Isaac Gouverneur. He died in Albany shortly after the result of the suit was known."

It appears that Hamilton had declined a retainer from Gouverneur & Kemble. In Dr. Allan McLane Hamilton's "Life of Alexander Hamilton" (pp. 169, et seq.) there is an account of the law suit. He refers to it as "The most important commercial case with which Hamilton was connected".

The Case of LeGuen Against Gouverneur & Kemble.

The case of LeGuen against Gouverneur & Kemble is entitled to more extended notice than we have given it. Hamilton, Harrison and Burr appeared for LeGuen; Brockholst Livingston, Troup and Gouverneur Morris appeared for Gouverneur & Kemble. Gouverneur & Kemble were factors of LeGuen and as such, on the 13th of April, 1795, sold to the individuals comprizing the firm of Gomez, Lopez & Rivera six hundred bales of cotton and twelve thousand weight of indigo of the Isle of France. The contract provided that the proceeds of the articles sold, in France or elsewhere, should first be applied toward the payment of the purchase money and that Gouverneur & Kemble:

> "might have it in their option to receive the whole or a part of the proceeds at any port".

A few days after their arrival, the goods were shipped abroad on board the *White Fox*, then in the Port of New York, and on or before May 25th, 1795, that vessel sailed for Havre de Grace, France, where she arrived about July 1st, 1795, and from thence by direction of Gomez, who was on board, she sailed to Hamburg and there landed the goods, which were afterwards, by order of Gomez, re-shipped to London and there sold.

LeGuen made repeated applications to Gouverneur & Kemble to make election to receive the purchase money out of the proceeds of the articles in Europe or to give an order by which he might receive any surplus after Gouverneur & Kemble had retained a sufficient sum to indemnify them for all advances and responsibilities on his account. Gouverneur & Kemble declining to follow this direction and to make the election, LeGuen treated Gouverneur & Kemble as having thereby substituted themselves in the place of the purchasers and as being liable for the purchase money, brought an action at law in the Supreme Court and obtained judgment against them for that amount, which judgment was appealed to the New York Court of Errors and there affirmed.

It appears that the cause was first tried in March, 1797, at the Circuit Court held in New York City before Mr. Justice Lewis, where the verdict found on the first count was for the defendants. In April, 1797, a motion for a new trial was granted by Hobart, Lansing and Benson, JJ., Chief Justice Yates and Mr. Justice Lewis dissenting. It was from this determination that the appeal referred to above was taken to the Court of Errors, where the judgment was affirmed.

Before the trial at law, two of the purchasers, Gomez and Rivera filed a bill in chancery against LeGuen, alleging that LeGuen had represented the cotton as the growth of the Isle of France when in truth it was of Senat, and the indigo of two descriptions, Flotang and Violet Copper, whereas a small part only was of one of the descriptions, that LeGuen produced samples agreeing with his representations; that the articles proved to be of inferior quality to those for which they were sold, and brought in London $20,000 less than they would have brought had they been of the description and quality represented. They prayed relief on the ground of fraud in the sale. Gouverneur & Kemble and Lopez, the other purchaser, refused to join in the allegations made by Gomez and Rivera. LeGuen, on the 23rd of February, 1797, fully and positively denied all the allegations of the complaint on which the charge of fraud was founded. On May 9th, 1797, Gouverneur & Kemble put in their answer, declaring that they did not know that LeGuen had practiced any fraud or misrepresentation in the sale, and on June 20th, 1797, Lopez, the other purchaser, put in his answer, which, in substance, agreed with that of Gouverneur & Kemble and exculpated LeGuen from all the allegations of fraud and misrepresentation.

A few days after the affirmance of the judgment in favor of LeGuen in the Supreme Court, to wit, on March 20th, 1798, Gouverneur & Kemble filed a bill in the Court of Chancery against LeGuen stating the sale of the cotton and indigo, the suit brought by Gomez and Rivera in chancery and the fact that they had obtained an injunction on the ground of fraud on the part of LeGuen, and that the suit remained undetermined, and prayed that LeGuen might be enjoined from suing out execution on the judgment recovered by him in the Supreme Court. An injunction was accordingly issued. On June 7th, 1798, LeGuen put in his answer in the injunction suit, in which he explicitly denied every allegation of fraud. The Chancellor ordered Gouverneur & Kemble to pay the amount of the judgment into the Bank of New York and the plaintiff, LeGuen, was permitted to draw out unconditionally about $53,000., the remainder to be received by him on giving security to refund in case it should become necessary by the decree of the Court.

On March 1st, 1799, the Chancellor directed that an issue should be tried in the Supreme Court to determine whether there had been any fraud and ordered that the trial should take place before a special jury at the next circuit of the Court in the County of Duchess, a previous question having been reserved by the counsel on both sides to be determined preliminary to the trial, viz:

> "Whether the respondents, Gouverneur & Kemble, were precluded by the antecedent circumstances from insisting on the alleged fraud as a ground of relief."

The Chancellor decided that they were not precluded, and confirmed the order for the trial of the issue. From this order an appeal was taken to the Court of Errors. That Court held that where a party to a suit at law has knowledge of a fraud, or other matter of defence, in time to avail himself of it at the trial at law and he neglects to do so, he can not afterwards obtain relief in a court of equity against the judgment at law on the ground of such fraud or matter of defence that he might have set up at the trial, but is forever concluded by the judgment. That Court also held that on appeal from an interlocutory order of the Court of Chancery directing an issue to be tried by jury it would, itself, hear and decide upon the whole merits of the cause. The Court therefore reviewed the evidence and held that there was no fraud.

We find no record of this case in the Clerk's office of the Court of Appeals at Albany. The only evidence which the Clerk's office affords of the case is a single sheet of paper which appears to be an assignment of errors by the attorney for Gouverneur. Its filing date is February 7th, 1797. In the absence of an official record other than the reported opinions, we must look to other sources for information as to the trial and its incidents. Dr. Allan McLane Hamilton supplies some of this information. In his comments upon it he says:

> "The counsel were permitted by the Court to speak repeatedly out of the ordinary course so great was the

interest and desire to get at all the facts. Morris was most offensive to Hamilton in Court, and there was an interchange of retorts between the two and the 'commanding' figure, melodious voice and authoritative manner of the former made a great impression." (James A. Hamilton refers to this incident in "Hamilton's Reminiscences", p. 12.) * * *

"Morris during his argument and after speaking in praise of what Hamilton had said used these words: 'Before I have done I am confident I shall make my learned friends cry out; Help me Cassius (pointing to Burr) or I sink.' When Hamilton's time came to reply, he treated Morris with great courtesy, reviewed his arguments without mercy, exposing all their weakness and then alluded to the boast of his friend in a strain of irony that turned the laughter of the Court and the audience against him. On the same day, after the Court had closed, there was a dinner given to the counsel, judges and others by Stephen Van Rensselaer of Albany, the patroon. Hamilton went to his father-in-law's, General Schuyler, to dress for dinner; Morris and the rest to the patroon's. When Hamilton arrived, Van Rensselaer met him at the door, and, to put him on his guard, informed him that Morris was in a very bad humor. Hamilton went into the room, approached Morris most amiably and said: 'My friend, you will rejoice, I hope, that by Cassius' help I meet you here with our friends at dinner.' The case like many others at the time attracted great attention and the Courtroom was crowded. General Schuyler wrote to his daughter February 13, 1800, 'so much has my dear general's time been engrossed by his law business that we have had but a small portion of that company which is always so pleasing and so instructive. Mr. Morris, of counsel for Mr. Gouverneur, showed much indiscretion by observations injurious to my Dear General, but such a reply was given as afforded General pleasure to the Court and Audience and which Mr. Morris felt so sensibly that I hope he will profit by It for I very sincerely wish him well.' " (p. 170.)

In a letter dated "Peeks Kill, April 16th, 1797", Hamilton wrote his wife:

> "My dear Eliza: We arrived here last evening well and shall proceed immediately on our journey. I forgot my brief in the cause of LeGuen against Gouverneur which is in a bundle of papers in my armed chair in the office. Request one of the gentlemen to look for it and send it up to me by the post of Tuesday. Beg them not to fail—Adieu my beloved.
> Kiss all the children for me. Yours,
>
> Peeks Kill April 16, 1797. A. H."

In the "Memoir of Aaron Burr" by Matthew L. Davis (N. Y. 1838, Vol. II, pp. 20-21), reference is made to the notes taken by Chief Justice Yates in the course of the LeGuen case and to the opinion of the Chief Justice that it was most difficult to take notes of Burr's persuasive and imaginative address, whereas Hamilton's argument could be easily recorded. Mr. Yates, the son of the Chief Justice, says:

> "My father's notes of General Hamilton's argument are very *copious.* Those by Col. Burr are *limited,* in this way—'Burr for plaintiff, I. The great principles of commercial law which apply to this case are'—then follows a hiatus of some lines. After which as follows; —'II. The plaintiff'—another hiatus. 'III. ! ! ! !' and this concludes all I can find."

In quoting these comments as to Burr, Mr. Davis says:

> "It was the celebrated case of LeGuen vs. Gouverneur & Kemble, one of the most important, in regard to the legal questions and amount of property involved, which at that day had been brought before our tribunals, and in which case he completely triumphed. Only a short period previous to his decease, Col. Burr remarked that on this occasion he had acquired more money and more reputation as a lawyer than in any other during his long practice at the Bar."

In a letter to his daughter, Theodosia, dated Albany, January 29th, 1800, Burr wrote:

> "We have agreed that the cause of LeGuen shall come on next Tuesday. It will last the whole week. The week following I shall hope to leave this place, but I may be detained for the Court may take a week to consider of the business, and I can not leave the ground till the thing be determined." (id. p. 142)

On February 13th, 1800, Burr was still in Albany and wrote Theodosia:

> "I am here sentinel over the interests of LeGuen and can not leave the post until the final decision be had, of which at present, I form no conjecture as to the period but I entertain no doubt of LeGuen's eventual success." (id. p. 143)

Burr wrote Theodosia again from Albany under date of February 15th, 1800:

> "The argument of the cause of LeGuen is concluded. I fear that I must wait for the final decision of the Court before I can leave Albany." (id. p. 143)

The case was probably decided by the Court of Errors during the latter part of February, 1800.

It would seem that the brief in the cause which Hamilton had forgotten when he went to Peekskill in April, 1797, related to the argument of some other question in the case than the final appeal in the Court of Errors, the argument in the Court of Errors taking place, as appears from Burr's letters, in February, 1800.

When the case had been won, Hamilton reluctantly accepted $1500 from LeGuen as his fee. Burr's fees were much larger. The account between Burr and LeGuen under date April, 1800, shows:

> "To account of Mr. Burr for onorarium up to date $29,000."

In addition to this, LeGuen had apparently advanced Burr $11,200., upon which interest was due from Burr amounting to $4636.66. In his letter to Hamilton, LeGuen asked him to settle the matter with Burr, saying:

> "I also enclose a letter account of what I have paid Mr. Burr, including interest at seven percent, upon divers sums that I have advanced him amounting altogether to $4,636.66. I beg you to kindly settle this bill with him so that he will be satisfied; he has promised to settle up with me tomorrow for the sum of $13,200 that he owes me, fallen due the 15th of last month, the only business that keeps me here."

The account book of Hamilton shows a subsequent entry relating to LeGuen but not to his case. The entry notes a charge by Hamilton of twenty dollars for "attending to the arrangement" of a marriage contract for LeGuen. (Dr. Allan McLane Hamilton's "Life of Alexander Hamilton", p. 194.)

Beare's Voyage to the Isle of France from New York.

Having given an account of this famous law suit which arose out of the cargo Beare brought to New York, we return to Beare's narrative. In it he says:

> "I immediately determined on a most hazardous undertaking to join my wife and child. I purchased a fine strong Newburgh sloop of 64 tons, fitted her well out with every necessary, loaded her with provisions, and sailed immediately for the Indian Ocean, with three men, one boy and myself. You may suppose my departure from the wharf attracted a concourse of people, who gave me their good wishes with three cheers."

The voyage which Beare took from New York to the Isle of France was indeed a hazardous one. The incidents of this voyage and the almost equally dangerous experiences which he underwent upon his arrival there where he found in control of the island those in sympathy with the French Revolution, are set forth by him in his outline journal. The voyage and the events that transpired after his arrival at the Isle of France are thus detailed by Beare:

> "This undertaking was pronounced the only instance on record, at the time, of so small a vessel undertaking so hazardous and so long a voyage. I had great cause to repent of my project before I reached the equator, for being becalmed there for fourteen days, the vessel not being coppered, her bottom became full of barnacles or shells, that we could not remove, and consequently impeded her sailing. By meeting the S. E. trade winds very unfavorable for us, we were forced into the Long. of 42° West, before we got into the variable winds. As the Isle of France lies in 56° East, I ran down more than one fourth of the globe in longitude, in the most tremendous gales, in from Lat. 38° to 40° in the Southern Atlantic Ocean, every hour expecting the high seas to make a complete breach over us. We were obliged to secure ourselves on deck by ropes to the taffrail, the motion of the boat being so rapid we could not walk on deck. Fortunately I arrived in sight of the Island after being out five months, and three days, without seeing any land nor any vessel whatever but ourselves. On my seeing the land I very soon found that the island was blockaded by an English squadron. I was therefore obliged to lower all my sails to prevent their seeing me during daylight, and took a favorable opportunity of a dark night to pass them unseen into the harbor of Port Louis about midnight. At daylight found myself surrounded by several French privateers, who immediately sent their boats and insisted on it that we were English spies, took us out of the sloop as prisoners. The first thing that presented itself to our view on landing at the square, was an immense Guillotine on our right and a Gallows on our left, to which they pointed would be our lot. These had been erected since

my departure. We were conducted under a strong guard into the church, where were assembled about three hundred Jacobins under Robespierre's government, all with red caps, emblems of liberty, to examine us separately. Out of the whole number I could only recognize one old gentleman, who was our next door neighbor. I was much alarmed at the appearance of such a tribunal, for they would not examine my vouchers from N. York, for one and all declared it impossible for this boat, as they called her, could have come from America, but must have been sent in by the British as a spy.

"My old friend did not speak a word until the most violent of the mob had ceased his speech in declaring his opinion that the Guillotine should be our fate.

"Monsr. Rivalles, my friend, then stood up and informed them who and what I was, that I had a wife and child in the island, and that my vessel had brought them a cargo of provisions for their relief, also that I had passed the English squadron at the risk of my life, that being an Englishman born, had I been captured by them, I should certainly have been severely treated by them, and that it was his opinion I deserved the approbation and thanks of the chaumille then assembled. At that moment Mr. Macarty made his appearance and claimed me as an American citizen. My papers were then examined, when everything appeared perfectly correct. I was to my great joy and satisfaction released amidst the acclamations of the mob, 'Vive le bon citoyen', and 'Vive la republique'.

"I soon joined my family, who had been long waiting the result of my examination, and was congratulated by all my friends at my narrow escape from so dangerous a voyage, and more so from the ferocious Jacobins, who had the control of the colony. Several persons were executed weekly for their personal opinions. I sold the sloop and cargo at a handsome profit, and retired into the country."

Beare in Command of the *Ajax*. The Expedition Up the Red Sea.

We have found no record of Beare's activities during the year 1796, during most of which he probably remained with his family in the Isle of France. His second child, Rene Maria Charlotte Beare, was born in the island November 20th, 1795. It is probable that not long after this time he went to sea again. He was probably at Hamburg with his wife and family in January 1797, when, on the 27th of that month, his wife gave birth to their youngest child, Charles Philip Beare. It would seem not unlikely that the voyage from the Isle of France to Hamburg was made in one of Beare's ships some time during 1796. We have, however, no record showing that Beare was in command of any ship during that time. The records do show that on December 24th, 1798, Beare was once more upon the sea as Commander of the merchant ship *Ajax*. There are records of the sailings from, and arrival at Calcutta of the *Ajax* under command of Captain Beare on January 10th, 1799, and August 25th, 1799, and of his having sailed from Calcutta in the *Ajax* on September 10th, 1799. It was some time during the year 1799, according to a statement which Beare's daughter endorsed on the outline journal, that his wife died, at the age of twenty-four years. We have not been able to locate any record showing the exact date or place of her death. Searches in Hamburg have failed to disclose any information either about that fact or as to the birth of Charles Philip Beare, who was born there January 27th, 1797. It is probable that between the date of his wife's death in 1799 and the time when the English expedition up the Red Sea took place in 1801, Beare was engaged in the merchant service in a ship of his own.

When, prior to April, 1801, the British undertook to transport a large number of troops from Bombay to Kosseir in Egypt, that expedition must have required all the available ships which the British at Bombay could secure. In view of the fact that Beare was apparently then engaged in the merchant service in command of his own ship, and of his previous service in the British navy and with the East India Company, and that his wife had died some two years before, it seems to me probable that Beare volunteered with his ship to take part in the expedition up the Red Sea. At any rate, it appears from the very brief account that he gives of this expedition that he did take part in it. His account, brief as it is, is thoroughly corroborated by other accounts of the expedition.

General Baird reached Moihal on the nineteenth day from the time he quitted Bombay on April 6th, 1801. He endeavored to proceed without delay to Kosseir by Jeddah. (See Hook's "Life of Sir David Baird", p. 300). On May 18th, 1801, he arrived at Jeddah. (Id., p. 309.) Mr. Hook says:

> "On the 26th of May (1801), General Baird embarked at Sir Home Popham's request on board his ship, the *Romney,* and sailed for Kosseir, where he expected to meet Admiral Blankett." (Id., p. 313.)
>
> "Nothing remarkable occurred", says Mr. Hook, "on the voyage from Jeddah towards Kosseir. The winds in the Red Sea, as our readers, of course, are aware, blow six months from the north and six months from the south. The season was now far advanced, and as has been frequently stated, by no means favorable for the voyage; yet on the 8th of June (1801), the *Romney* arrived at the place of her destination," (Kosseir). (Id., p. 314.)

Admiral Blankett did not arrive at Kosseir until June 15th, 1801. (Id., p. 316.) Mr. Hook continues:

> "On the 30th of June (1801) General Baird quitted Kosseir, and on the 1st of July took up his headquarters at Moihal, determined to move the army with all possible expedition." (Id., p. 358.)

On July 3rd, 1801, General Baird reached Moihal Wells and Legata, at a distance of 41 miles and on the 5th and 6th he arrived at Ghennah. (Id., p. 359.)

The record from Kosseir to Ghennah is thus officially stated:

“Kosseir to the New Wells	11	Miles	Water may be had
Half way to Moihal	17	“	No water
Moihal	17	“	Water and provisions
Advanced Wells	9	“	Water
Half way to Legata	19	“	No water
Legata	19	“	Water and provisions
Baromla	18	“	Water
Ghennah	10	“	The Nile
	120	Miles”	(Id., p. 367.)

Before quoting Beare’s account, there are two matters referred to by him to which attention should be called. The first is that he refers to a voyage from Bombay to Kosseir being a “very dangerous and intricate navigation without proper charts to direct us”. Mr Hook, in his “Life of Sir David Baird”, in a foot note at page 310 quotes from the Horsburghs Sailing Directions, Vol. 1, p. 221, as follows:

> “It would be very imprudent for a stranger to sail out of Jeddah Roads without a pilot. The native pilots are guided by the eye as there are no cross bearings or proper marks to lead them clear of the numerous sunken rocks which, in hazy weather, or when the sea is obscured, can not be discerned until the ship is nearly upon them.”

Mr. Hook adds to his note the statement:

> “It was on one of these rocks to the southward of the Outer-Gate, as it is called, that His Majesty’s frigate *Le Forte* struck and was lost.”
> (Id., p. 310.)

The other incident to which Beare calls attention is that in crossing the desert the clouds of fine dust which the winds blew

> "* * * affected the eyes so much that great numbers of our men were totally deprived of sight. We latterly used the precaution of wearing thin muslin over our faces when we observed it coming on."

Mr. Hook quotes the Count de Noé upon this incident as follows: (Id., p. 332.)

> "The suffering from ophthalmia have been so numerous, that it may not be unserviceable to know that the Count de Noé states, that at the time when all his brother soldiers were laboring under the most violent attacks of that dreadful complaint he never felt the slightest disorder in his eyes, a circumstance which he attributes with great probability to a precaution which he adopted of covering his face during the march with a piece of green gauze in the manner of a veil."

The following brief reference to this expedition up the Red Sea is contained in the Cambridge Modern History, (Vol. 9, p. 734.):

> "At the end of December, 1800, an expedition started from Bombay to intervene in the Egyptian campaign. It consisted of 6400 British and native troops commanded by Sir David Baird. The force landed at Kosseir on June 8, 1801, whence, after a march of 140 miles across the desert, it reached Cairo on August 10th."

In describing this expedition Beare says:

> "My next expedition was up the Red Sea to convey eighty sail of transport ships with ten thousand troops on board under Sir David Baird to join the British army, in Egypt. After a very dangerous and intricate navigation without proper charts to direct us, we anchored off Kossier in thirty-two days, and landed all

our troops in safety. From thence they had to traverse the desert three days march to the Nile.

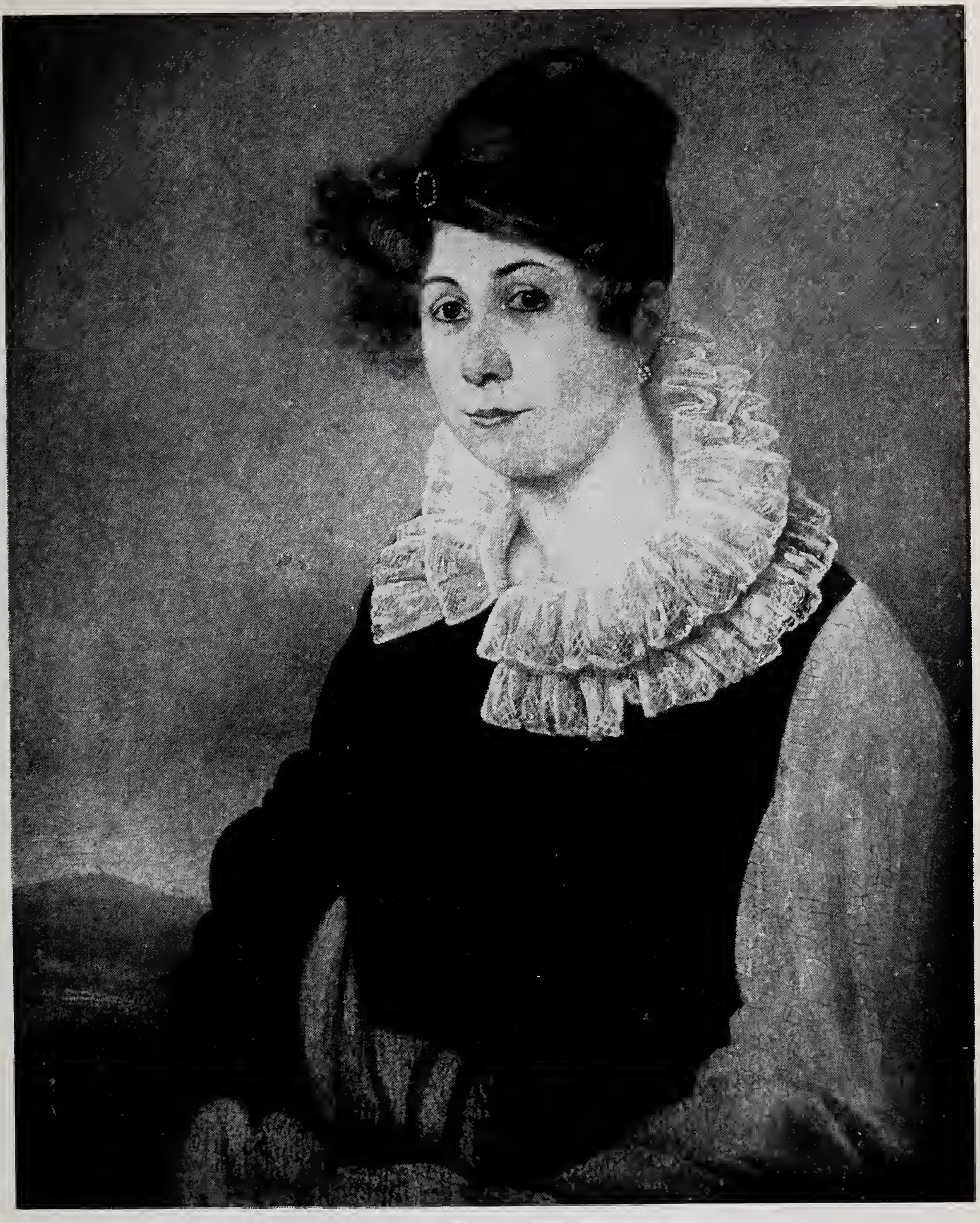
> "The greatest inconvenience we had to encounter, was the land winds, which came off the Abyssinian shore, and brought with it clouds of fine dust which lodged on our persons, difficult to remove, much resembling fuller's earth. It affected the eyes so much that great numbers of our men were totally deprived of sight. We latterly used the precaution of wearing thin muslin over our faces when we observed it coming on."

Beare Again Returns to New York.

Beare's reference to the expedition up the Red Sea indicates that certainly by June, 1801, he was free to leave for New York. All the information we have, however, on the subject of his return to New York after he left it in 1795 to make his voyage to the Isle of France in the Newburgh Sloop is the statement in his outline journal:

> "Several years after this period I returned to New York."

When this return took place, or under what circumstances, we have no knowledge. It is certain that he married his second wife in New York City on November 2nd, 1802. If the absence of knowledge permits conjecture, we venture the opinion in view of the other circumstances that are known, that after he and his ship had finished their services in the Egyptian campaign, he sailed for New York. Whether it was on this occasion that he brought his children to New York there is no evidence. It may be that the children of his first marriage were at this time left in the Isle of France in charge of their mother's aunt, Mrs. William Macarty.



CHARLOTTE (YOUNG) BEARE

(1785-1862)

From a portrait in the possession of Samuel Seabury

III.

1802 to 1828.

Beare Marries Charlotte Young.

Before November, 1802, Beare was undoubtedly in New York, and from the fact that he became a naturalized American citizen in 1804 he had probably by that time decided to make New York City his permanent home. However this may be, the parish register of Trinity Church, New York, of which Bishop Moore was at that time Rector, records his marriage on November 2nd, 1802, to Charlotte Young. The notice of this marriage was also published in the New York Weekly Museum and the Morning Chronicle under date of Nov. 6th. The following is a copy of the notice:

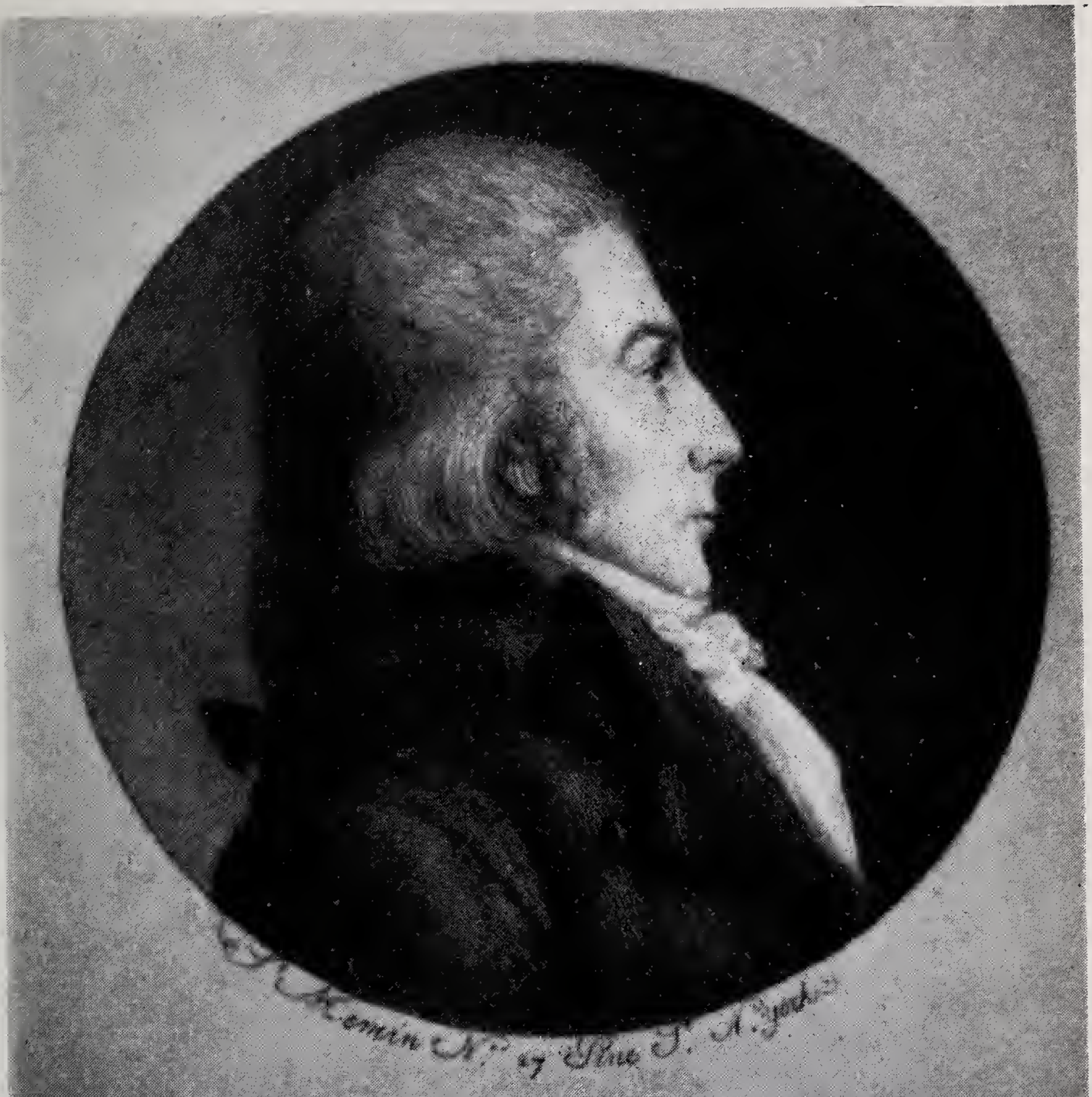
> "On Thursday by the Right Rev. Bishop Moore, Henry M. Beare, Esq., to Miss Charlotte Young, Granddaughter of Thomas Marston; of Prospect, on York Island."

Charlotte Young was seventeen years and seven months old, the daughter of William Young and Margaret Marston. Her father was an Englishman, but other than this fact and the fact that he married Margaret Marston in New York City November 13th, 1784, we know nothing of him. Margaret Marston, her mother, was born in 1764 and was the daughter of Thomas and Cornelia (Lispenard) Marston, and died in New York City in 1794. Charlotte Young's grandfather, Thomas Marston, was a prominent and outstanding figure in the social and commercial life of New York City at that time, as his father, Nathaniel, and his grandfather, Nathaniel, had also been before him. Thomas Marston was born in New York City April 16th, 1735. He was a member of the first class that entered King's (now Columbia) College. A portrait of him is said in Stevens' "Chamber of Commerce" (p. 150) to have been taken in 1798 and to be in St. Memin's collection. The photograph of the portrait which is here produced was obtained through the courtesy of The Corcoran Gallery of Art in Washington, D. C. He owned a great deal of real estate in New York City. He died January 11th, 1814, at New York City in the seventy-fifth year of his age. The marriage notice of Henry Martin Beare and Charlotte Young states that she was a granddaughter of Thomas Marston and referred to the latter as "of Prospect on York Island". Nathaniel Marston, the father of Thomas Marston, had purchased "Prospect Farm", which was north of the old City limits in 1749, and all of it except small portions which Thomas Marston had afterwards acquired passed by Nathaniel Marston's will to Thomas Marston. (See Riker's "History of Harlem", p. 808; Tuttle's "Abstracts of Title".)

Thomas Marston was the son of:

Nathaniel Marston who was born in New York City March 27th, 1704, and married Mary Crook, daughter of John and Gertrude Crook. He succeeded his father as vestryman of Trinity Church, New York City, in 1731, and in 1770 was made warden. He was a merchant of New York City. He died October 21st (or 23rd), 1778, aged 75 years and was buried in Trinity Churchyard. Nathaniel Marston was the son of:

Nathaniel Marston, who was born in Flushing, Long Island, about 1655. He married Margaret Hardenbrock, daughter of Abel and Anetja Hardenbrock, about 1700. He was one of the original vestrymen of Trinity Church, New


Memin N° 17 Pine S. N. York
Thos. Marston.

THOMAS MARSTON

(1735-1814)

From a Miniature in the St. Memin Collection at the Corcoran Gallery of Art, Washington, D. C.

York, and is named in its charter in 1697. He died 1737, aged about 72 years. He was the son of:

John Marston, who was probably born in Old Providence Island, West Indies, between 1630 and 1635, and came with his father to Flushing, Long Island, where he married Anna Legg about 1657. He was the son of:

Nathaniel Marston, who was born in England and in 1628 went to Providence Island in the West Indies. In 1639 he removed to Long Island and settled in Flushing. His wife's name was Mary.

Authorities:

Riker's "History of Harlem", p. 808 and note.

Will of Thomas Marston dated July 27, 1808, proved January, 1814. (51 of Wills, p. 221.)

N. Y. Historical Society, Vol. 8, pp. 304, 369; Vol. 9, pp. 50-52.

Tuttle's "Abstracts of Title", pp. 33-34, pp. 35-40.

"Historic New York", p. 327.

"The Marston Genealogy", compiled by Nathaniel Washington Marston, South Lubec, Maine, 1888.

"Calendar of State Papers, Colonial Series, 1574-1660", edited by W. Noël Sainsbury.

The wife of Thomas Marston and the mother of Margaret Marston, who married William Young was Cornelia Lispenard. She was the daughter of Leonard and Alice (Rutgers) Lispenard. She was born in New York City in 1740 and died there November 17, 1775, having married Thomas Marston on February 5, 1759. There is a reference to her marriage in Singleton's "Social New York Under the Georges", p. 357.

Leonard Lispenard was a member of the Assembly of the Province of New York, a delegate to the Stamp Act Congress which met in New York 1765; First President of the New York Marine Society; Deputy to the Revolutionary Congress which met in New York 1775; Regent of the University and a Governor, Trustee and Treasurer of King's (now Columbia) College. Leonard Lispenard was the son of Anthony Lispenard and Elizabeth Huygens de Klyne, his wife.

Anthony Lispenard was born October 31st, 1683, and married November 7th, 1705. His wife, Elizabeth Huygens de Klyne, was baptized March 29, 1688. She was daughter of Leonard and granddaughter of Barrentsen Huygens de Klyne of New York. Anthony Lispenard died at the age of 75 years. His will was signed August 16th, 1755. He was the son of:

Antonie and Abeltie Lispenard, French Huguenots, who left Rochelle in 1669 for America, and in 1670, are recorded as settlers of Albany. He afterwards removed to New Rochelle, Westchester County, New York, where he died at the age of 86 years. An interesting article on the Lispenard family by General Charles W. Darling, A. M., entitled "Antoine L'Espanard, the French Huguenot of New Rochelle and some of his descendants" is in Vol. 24 at page 97 of the New York Genealogical and Biographical Record. That article contains a photograph of a painting of Antoine L'Espanard, the emigrant.

Charlotte Young, at the time she married Henry Martin Beare, had many relatives resident in New York City who were at that time active in its social life. Among them were members of the Marston, Lispenard, Phillipse, Van Cortlandt, Spencer, Van Horne, Lawrence, Winthrop and Shaw families. These connections and the position which Thomas Marston's granddaughter then enjoyed would indicate that at the time of his marriage Beare had won for himself the good opinion of substantial people.

Beare Goes Abroad Again in October, 1804, and Returns in May, 1805.

Beare was naturalized in New York City in July, 1804. His daughter, Henrietta Margaret, was born October 17th, 1804. He describes another trip which he made abroad, occasioned because of claims which he had against insurance companies in London and Hamburg. We are able to fix with precision the dates of the events of this journey to which he refers in his outline journal. He left New York in October, 1804. He arrived in London in December, 1804. From London, he went to Hamburg in January, 1805. He completed his business at Hamburg in March, 1805, and went to England. In the early part of April, 1805, he sailed from Liverpool to New York. He intended to sail on the ship *Jupiter,* which was lost at sea, but was delayed on his journey and prevented from taking that ship. The ship upon which he actually sailed arrived in New York City on the 2nd or 3rd of May, 1805. With these dates in mind, Beare's narrative set forth below becomes clear.

> ''Having a large claim on the insurance companies in London and Hamburgh, I undertook a voyage into the cold regions in the winter months, to which I had not been exposed for thirty years. I left N. York in October. Arrived in London in December, when I found the winter extremely mild. I embarked in a small sloop for Holland. On our arrival at Rotterdam, to our utter astonishment, I found the whole face of the country covered with snow fourteen feet deep. The distance from thence to Hamburgh is estimated about three hundred miles through the deserts of Westphalia, and that occupied by the invading French army under Buonaparte. My friends in Rotterdam endeavored to persuade me not to attempt this land voyage until the spring, as I did not understand a word of the German language.

"However, I was determined to make the attempt. I accordingly purchased a French cabriolet, just sufficient for one person, and performed my voyage in ten days through that desolate country covered with snow, which appeared for several days like the ocean, and you may judge of the extreme cold. I met with great attention from the French officers and men at the small villages where I halted. I was obliged to partake of the common bed of straw, with a blanket, in the barns or out houses, where the cows sleep and hogs had their share.

"I remained and settled my business in Hamburgh until March, and returned by another route to Rotterdam. The winter began to be more mild. Having seen by an English paper at this place that the N. York ship *Jupiter,* Capt. Law, was to sail from Liverpool for New York early in April, I wrote immediately from thence to engage my passage on board of her.

"But contrary to my expectations, I was detained at this place ten or twelve days by foul winds. On my arrival in London I found the ship had sailed several days previous.

"It proved a providential escape for me as the ship ran upon an island of ice on the Banks of Newfoundland and *all on board* perished, with the exception of one boat's crew with the captain and a few passengers, who reached Newfoundland after undergoing great hardships.

"I engaged my passage out in a Boston (ship), made a very short voyage and arrived in New York only two days after the news of the loss of the *Jupiter,* which had been kept secret from my family, it being supposed that I was on board the *Jupiter* and among those that perished."

Every fact that Beare stated as to the loss of the *Jupiter* is fully borne out by the account of the tragedy in the New York Evening Post of April 29th, 1805. A substantially similar account of the loss of the *Jupiter* is also to be found in the

New York Spectator of Wednesday, May 1st, 1805. The Evening Post account is as follows:

> "*Loss of the Ship Jupiter.* The regular London trading ship *Jupiter,* Capt. Law, bound to this port with a valuable cargo of Drygoods fell in with on the 6th of April off the Grand Banks of New Foundland, some floating islands of ice, one of which she struck against, stove in her bows, filled with water and almost instantaneously went down. There were 73 souls on board when she struck, 38 of whom took to the long boat. 8 took to the yawl and 27 went down with the ship. Three days after the yawl was picked up by a schooner and carried into Marblehead. The following are the particulars furnished by the Captain of the *Jupiter,* himself, who arrived here yesterday."

Then follows the Captain's account and the names of those who were in the yawl, the long boat and some of those who were lost on the ship. It would carry us too far away from the subject of our narrative to insert this account here.

The Captain of the *Jupiter* arrived in New York City April 28th, 1805, according to the account in the Evening Post of the next day, and probably brought the earliest tidings which New York had received of the loss of the *Jupiter.* Beare says he arrived

> "in New York only two days after the news of the loss of the *Jupiter*",

which means that he arrived in New York April 30th or May 1st, 1805. We have not, however, as yet been able to find any record of Beare's arrival at that time.

Beare rejoined his family, which consisted of his son, William, then a boy of eleven years; Rene Maria Charlotte, ten years old; Charles Philip, eight years old, the wife to whom he had been married for three years and their eldest daughter, Henrietta Margaret, then not quite a year old.

Beare and His Wife Sail for the Indian Ocean.

Beare had the roving disposition of a sailor and did not long remain either inactive or on land. He made still another trip to the East Indies, with which he had long been familiar. Whether this trip was made on his own vessel or whether he was merely a passenger, or what the purpose of the trip was, we do not know. On this trip, which was probably on a merchant vessel of which he was in command, he took his wife with him. The record which he has left reveals the fact that his eldest son by his second marriage, Thomas Marston, was born off the southeast coast of Madagascar March 29th, 1806. We have no information as to how extensive these last travels were. Beare probably returned shortly thereafter to New York. He may have made other voyages after that date but we have as yet no record of them. Certainly, he was in New York City on December 21st, 1809, when he signed a lease which will be referred to. The records of the Marine Society of New York City show that he was a member of that Society from January 8th, 1810, until January or February, 1819, certificate of membership No. 1888 having been issued to him. During this period, he engaged in other transactions of a business nature in New York City, and his name appears in several conveyances with that of his wife in transferring title to pieces of real estate which had been the property of his wife's grandfather, Thomas Marston.

The New York City Directory shows Henry M. Beare as residing at 317 Greenwich Street in 1811, at 6 Hudson Street 1815-1817, at 223 Duane and 22 White Streets 1818-1819, at 111 Chambers Street in 1820 and at 306 Broadway in 1823, at 547 Pearl Street in 1824-1827, and at 296 Broadway in 1828, the year of his death. The Directory of 1820, 1823 and 1824 describes him as "Merchant". In 1820, the Directory also shows the name of his son, William H. Beare, merchant, at 111 Chambers Street. His youngest child by his first marriage, Charles P. Beare, is mentioned in the Directory of 1824 as in the drygoods business in Hudson near Dominick Streets.

Some of the comments made herein will be more easily understood if we have before us some information as to the family of the two sisters of Captain Beare's wife. His wife was the eldest of three sisters. Her next younger sister, Cornelia, married Philip Brasher, to whom this sketch several times makes reference. The Brasher family was an old one and had been in this country from 1639. (See ''Genealogy of the Family named Brasier, Brasher, Breser, Bresart, Bradejor'', XXVII N. Y. Gen. & Bio. Record, p. 37.) There are also some interesting references to members of this family in Barrett's ''Merchants of Old New York'' (Vol. I, pp. 331-333; Vol. II, p. 222; Vol. III, pp. 29-33.)

Philip Brasher was the son of Philip and Philander Hester (Lyng) Brasher. (New York marriages, p. 241.) He married Cornelia Young October 18th, 1809 (Trinity Church Records). The children of that marriage, as shown by the Trinity Church Records, were: (1) Margaret Marston Brasher, born July 22nd, 1810, baptized February 24th, 1815; died July 21, 1832, buried Greenwood Cemetery; (2) Philander Louisa Brasher, born September 9, 1811; baptized February 24th, 1815; died May 9, 1894, buried Greenwood Cemetery; (3) Philip Brasher, born January 14th, 1813, baptized February 24, 1815; died November 30, 1879; buried Greenwood Cemetery; (4) Charlotte Beare Brasher, born 1814, baptized January 12th, 1815; (5) Cornelia Brasher, born November 6th, 1815; baptized December 25th, 1815; died April 13, 1892; buried Greenwood Cemetery; (6) Thomas Marston Brasher, born November 28th, 1817; baptized February 27th, 1818; died August 12th, 1888; buried Greenwood Cemetery. He was a Captain in the United States Navy. His will, dated August, 1869, was probated in October, 1888 (see Liber 134 of Wills, p. 219, Kings County, New York); and (7) William Marston Brasher, born January 20, 1821; died October 12, 1912; buried Greenwood Cemetery. There is no entry as to the latter in the Trinity Church Records. He is named as a beneficiary under the will of his cousin, Pierre Marston Van Wyck, dated July 25, 1874.

Philip Brasher and his family had lived for a time at Jamaica, Long Island, and Mrs. Brasher was a pew holder of Grace Church, Jamaica, from July 3rd, 1822, to 1825. Philip Brasher was a pew holder in the same church from 1828 to 1829. (See Henry Onderdonk, Jr. "Antiquities of the Parish Church, Jamaica", pp. 108, 114.) While Philip Brasher and his family had probably lived at Jamaica at different intervals prior to 1828, he removed with his family to Jamaica in that year. In a letter which his nephew, Thomas Marston Beare, wrote on August 25th, 1828, to Mary Susan Saltonstall to whom he was then engaged to be married, he says:

> "At the time your letter reached here, I was at my Uncle's at Jamaica, to which place his family have moved, but I am sorry to say the country around there is very unhealthy, so much so that one half of the inhabitants are sick with the fever and ague and typhus and billious fevers. My cousins, though, are well, and as the summer is now drawing to an end, I hope they may escape the sickness altogether."

On September 5th, 1828, he writes:

> "I am sorry to say that every one of my Uncle's family are sick excepting Philander, and she, too, poor girl, I am afraid will be taken sick, being obliged to be constantly attending upon the others. I went down there last night and a nice wet ride I had, it poured the whole way."

The Philip Brasher who married Cornelia Young was a lawyer, and there is a license to practice law before the

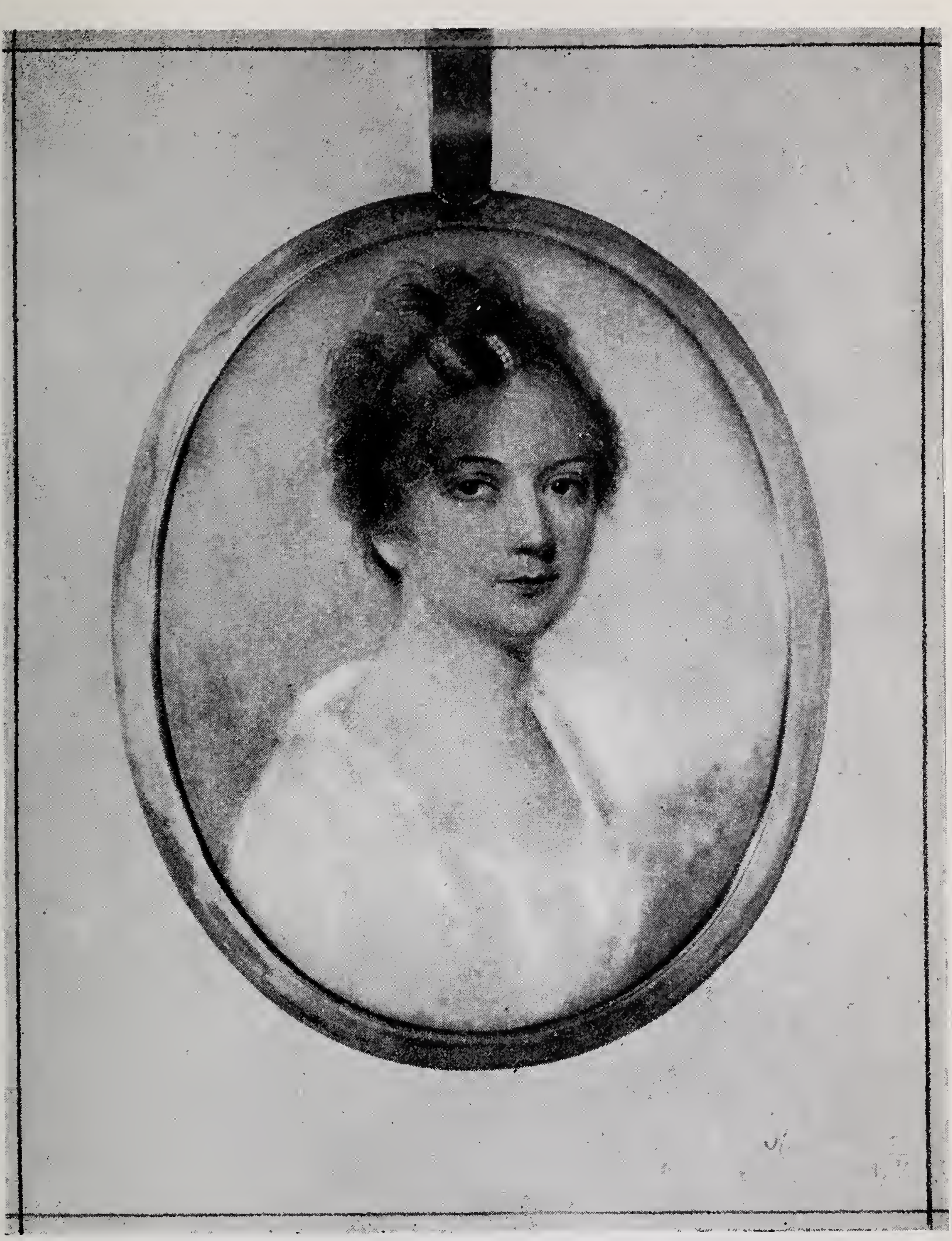
Mayor's Court granted to him, or one of his name, by Mayor Duane.

Brasher evidently became involved in certain financial embarrassments and Captain Beare came to the relief of his brother-in-law and endorsed certain notes on his behalf. Subsequently, as we shall see, Brasher deeded his property to Beare in trust to secure the payment of these and other obligations. We do not know the cause of Brasher's financial difficulties or the extent of his obligations to Beare or the firm of Gideon Lee & Company. The latter was a well known firm of leather merchants in New York City and Gideon Lee was at one time Mayor of New York City. We have no other information as to Beare's business dealings with Brasher, except that an echo is perhaps to be heard in a reference to them in a letter by Thomas Marston Beare to his wife. This letter, dated New York, August 29th, 1832, is in part as follows:

> "In going up Wall Street yesterday I met Mr. Brasher and although I should like to find an excuse for his behaviour, but as yet cannot think of one. In truth, I am very much hurt and my feelings wounded by his *very cold reception* and his answers to my enquiries. I do not wish to blame him, it *may* have been occasioned by reviving recollections at the sight of me, but still even this would not justify what I consider rudeness. As I expect you so soon, I will not say more at present, but I have one consolation that is if his conduct was *intended,* I have done nothing to deserve it. My conscience reproaches me for nothing I have done towards him or his family and when we can say and think *this,* that alone will afford consolation for many injuries. He is a strange man, and I can only hope that it *was* in consequence of his feelings being touched and his thoughts reverting to his lost daughter, and which perhaps he wished to hide in the street, which caused his conduct. *If so,* I freely forgive him."

The youngest sister of Captain Beare's wife, Alice Young, married between 1814 and 1818 Pierre Cortland Van Wyck. He was the son of Abraham and Catherine (daughter of Pierre Van Cortland) Van Wyck. Van Wyck was graduated in the class of 1795 at Columbia College (See II Lamb's "History of the City of New York", p. 469). He was a lawyer and won considerable distinction in his profession, having served as Recorder of the City of New York 1806-1807, 1808-1810, 1811-1813, and District Attorney of New York County 1817-1819 (See Alden Chester's "The Legal and Judicial History of New York", Vol. III, pp. 67, 69.) On January 16th, 1826, he was a member of a Committee with Effingham Schieffelin and John Yates Cebra to conduct the Mayor Elect, Philip Hone, to the Council Chamber of the City Hall. (Lamb's "History of the City of New York", Vol. II, p. 704.) He was a friend and supporter of DeWitt Clinton. His portrait is in John Searles' picture of those present at the opening of the then recently re-built Old Park Theatre in the late autumn of 1822. The picture was made for William Bayard and is now in the possession of the New York Historical Society and includes the portraits of many who were prominent in the social life of that time. (See Lamb's History of the City of New York", Vol. II, pp. 684-686; also "The Diary of Philip Hone N. Y. 1927 2 vols", Vol. I, p. 50). Mr. Van Wyck, as Master in Chancery, executed a deed to John Lawrence March 6, 1806, of the Saw-Kill Farm, which was originally part of the Hoorns Hook Farms. (See Riker's "History of Harlem", p. 806.) A photograph of Judge Van Wyck appears in the Van Wyck Genealogy ("Descendants of Cornelius Barentse Van Wyck and Anna Polhemus," by Anne Van Wyck, New York, 1912).

They had one son, Pierre Marston Van Wyck, who died in 1874. He left a considerable estate. His will was dated July 25th, 1874, and by it he bequeathed $30,000 to his cousin, William Marston Brasher, and directed that the residue of



ALICE (YOUNG) VAN WYCK

From a miniature in the possession of Mrs. Edmund W. Bill

his estate should be divided equally among the surviving children of his Aunt Cornelia Brasher and the children of his Aunt Charlotte Beare. His will was contested by Archibald R. Brasher but was admitted to probate. Reference has already been made to those probate proceedings.

Thomas Marston, the grandfather of Beare's wife, left a very considerable property, much of it being New York City real estate, and he named Charlotte Young Beare among his beneficiaries. His will is recorded in New York County in liber 249 of wills. Aside from a bequest to his grandson, Thomas Marston Taylor, he directed that his property be divided, one-quarter equally among his grandchildren, Cornelia Taylor, John Still Winthrop and Francis Bayard Winthrop, Jr., and that the remaining three-quarters of his entire estate should be converted into cash, invested, and divided equally among his grandchildren, Charlotte Beare, Cornelia Young, Alice Young, Cornelia Marston, Dennis Shaw and Ann Marston Shaw.

The records of New York City make occasional reference to Beare. These references relate (a) to property in New York City which he leased and to certain assignments which he made of some of these leases; (b) to conveyances which he executed with his wife of certain parcels of real estate which were a part of the estate of his wife's grandfather, Thomas Marston, who died in 1814, (c) to a certain deed of trust which his brother-in-law, Philip Brasher, executed to him to pay notes endorsed by Henry Martin Beare or the firm of Gideon Lee & Company, and to pay the amount owed by Brasher to Elsie Van Wyck, who was sister-in-law to him and to Beare, and also to pay other debts of Brasher's. In these leases and deeds, Beare is generally referred to as "Gentleman of the City of New York", but in one instance he is referred to as "Merchant" and in an assignment of lease in 1814 he is referred to as "Master Mariner". It appears from his will also that he had advanced money to or on behalf of his two sons by his first marriage, William Henry and Charles Philip, and had obligated himself on notes in order to render assistance to them.

By lease dated December 21st, 1809, recorded June 22nd, 1810, Beare leased property bounded southerly by Chambers Street having about a twenty-seven and a half foot frontage on Chambers Street and being seventy-five feet deep. The lease was to run for forty-two years from March 25th, 1809. The rent for the first fifteen years was to be $60 per year and $110 per year for the next six years and $165 per year for the next twenty-one years. Under the terms of the lease Beare was to pay duties, taxes and assessments and pave the street in the front to the center. The lessor was "The Rector and Inhabitants of the City of New York in Communion of the Protestant Episcopal Church of the State of New York", which meant the Corporation of Trinity Church. (Liber 88, p. 59.) This lease, by assignment of lease dated February 3rd, 1810, Beare assigned to a merchant of New York City named Benjamin Bailey in consideration of $9700. The assignment of lease is recorded June 22nd, 1810, and with it is recorded the consent of the Corporation of Trinity Church. (Liber 88, p. 63.) The name of Benjamin Bailey is included in a list of patriotic New York merchants as subscribing for $10,000 worth of bonds of the Federal Government in 1813 to meet the expenses of the War of 1812. (I Barrett's "Merchants of Old New York," p. 332.)

On April 23rd, 1814, by an instrument recorded April 30th, 1814, Francis Bayard Winthrop, as Executor of the Last Will and Testament of Thomas Marston, deceased, and several of the heirs of Thomas Marston, including Henry M. Beare and Charlotte, his wife, made a deed of a four-story fireproof store and lot of ground known as No. 66 South Street to James Walsh and George Gallagher, Merchants of the City of New York. (Liber 105, p. 413.) The same parties made a deed to Daniel Sullivan of No. 127 Water Street, dated April

23rd, 1814, and recorded May 4th, 1814. (Liber 105, p. 438.) On the same date, a similar deed was made by the same parties to Daniel Sullivan to 129 Water Street. (Liber 105, p. 441.) The same parties by another deed dated April 23rd, 1814, and recorded April 26th, 1814, conveyed to Andrew Foster and Jacob P. Giraud a four-story fireproof store at No. 65 South Street. (Liber 106, p. 115.) On April 23rd, 1814, by deed recorded May 3rd, 1814, they conveyed No. 39 Pine Street:

> "Being the house and lot next to the South Westerly Corner of Pine and William Street",

to Michael Burnham, Printer. (Liber 106, p. 169.) By deed dated the same date and recorded May 3rd, 1814, the same parties conveyed No. (100) 125 Front Street to Henry Rankin. (Liber 106, p. 183.)

On April 30th, 1814, by a deed recorded May 3rd, 1814, Henry M. Beare, described as "Master Mariner", conveyed to James Boggs in consideration of $8500, all the rest of the term of a lease to him of 102 Chambers Street from the Rector, Wardens and Vestrymen of St. George's Church, dated May 19th, 1810, having forty-two years to run from March 25th, 1810, the rent reserved being $125 per year. The conveyance was made subject to the covenants and conditions named in the lease and also to the payment of a bond given by Henry M. Beare to William Edgar and John B. Miller on October 13th, 1810, in the sum of $7,000, conditioned to pay $3,500 on October 14th, 1811, which was secured by a mortgage on these premises. (Liber 106, p. 186.)

By deed dated April 23rd, 1814, and recorded May 23rd, 1814, the heirs at law of Thomas Marston, deceased, including Henry M. Beare and Charlotte, his wife, conveyed to William D. Cheevers in consideration of $1540, a certain house and lot of ground known as part of the "Church Farm", bounded northerly by Reade Street. (Liber 106, p. 331.) On April 23rd, 1814, by deed recorded June 17th, 1814, the same grantors conveyed property on Pine Street to James Mason, the map of which is recorded with the deed. (Liber 107, p. 88.) On the same date, by deed recorded May 13th, 1818, the same grantors conveyed the premises No. 123 Front Street to Thomas Rich.

By a deed dated May 1st, 1818, and recorded April 7th, 1819, the Rector, Wardens and Vestrymen of St. George's Church in Flushing leased to Henry M. Beare for a term of fifty years from March 25th, 1818, land known as part of the "Church Farm", which was bounded southerly in front by Chambers Street. The rent reserved was $150 a year and Beare was required to pay the duties, taxes and assessments and pave the street to the center. (Liber 132, p. 441.)

By an instrument being a bargain and sale deed, the date of which we have not at hand, Richard S. Williams, Merchant of the City of New York, and Amy, his wife, conveyed to Henry M. Beare the northeast corner of Avenue B and 10th Street, running 23′ 8″ on Avenue B northeast, thence southeast and parallel with 10th Street 93′, thence southwest and parallel with Avenue B 23′ 8″ and thence northwest along 10th Street 93′ to the place of beginning. (Liber 398, p. 592.)

On May 1st, 1828, Henry M. Beare assigned his interest in an unexpired term of lease to William Wheelwright, a Merchant of the City of New York, for $7000. (Liber 235, p. 195.)

Philip Brasher, who in 1828 was a brother-in-law of Beare, having married Charlotte Beare's sister, Cornelia, made a deed dated July 14th, 1828, and recorded July 15th, 1828, conveying all the lands, tenements and real estate situated within the City and County of New York of which Philip Brasher was then seized and possessed. The conveyance was made to Henry M. Beare, his heirs and assigns, in trust to be sold on such terms as Henry M. Beare might think expedient. Provision was made in the deed that the proceeds should be applied first to the payment of this conveyance and expenses of the trust; second, to the payment of notes endorsed by Henry

M. Beare or the firm of Gideon Lee & Company and to pay the amount owed by Philip Brasher to Elsie Van Wyck; third, to the payment of all of Philip Brasher's other debts, and fourth, surplus to be paid to Philip Brasher. (Liber 240, p. 20.)

On August 11th, 1829, by an instrument in which Henry M. Beare is named as of the first part, Philip Brasher and Cornelia, his wife, of the second part and Walter Livingston of the third part, five lots beginning on the east side of Orange Street 100′ North east of the corner of Prince Street were sold for $4250. (Liber 240, p. 224.)

Henry M. Beare, on September 5th, 1828, by deed recorded September 16, 1828, conveyed for $800 the premises near the corner of Mulberry and Prince Streets to Richard Christopher, Florist. (Liber 241, p. 65.)

On September 8th, 1828, Henry M. Beare signed a deed of the premises 50 Beekman Street in consideration of $16,250 to Samuel F. Mott. The deed seems not to have been delivered until after Beare's death, when Murray Hoffman having been appointed Trustee in place of Henry M. Beare, delivered the deed on April 13th, 1829.

While Beare did not die until September 29th, 1828, he made his will December 29th, 1826. The provisions of the will which was admitted to probate serve to throw light upon some of the financial difficulties which seem to have overtaken him during the closing years of his life. These difficulties arose from the failure of his sons, William Henry Beare and Charles Philip Beare, which failures occasioned their father to come to their financial relief. The will recites:

> "Having, during the last few years of my life; sustained sundry heavy losses, occasioned from the failure of my sons: with Warmoldus Cooper and likewise Capt. A. DePeyster, and others, which has been the cause of rendering my former will null and void; therefor, to prevent any difficulties between the two branches of my family hereafter",

and then provides that whatever property he may possess at his death shall be distributed in the manner specified in the will. The will directs the payment of his debts, "which are but few", and directs that his house, 111 Chambers Street, be sold and that out of the proceeds, a mortgage of Forty-five Hundred Dollars was to be first paid and Eight Hundred Dollars paid to his wife, Charlotte Beare, and that the remainder be equally divided between his children, Henrietta, Thomas, Henry and Cornelia, who were the children of his second wife. Referring to the fact

> "* * * that my sons, William and Charles Beare, are indebted to me for sums advanced, for the purpose of taking up of their notes, since their failure; likewise for a bond for One Thousand Dollars signed by William Beare and Warmoldus Cooper",

he makes provision for the waiving of interest up to his death. The will declares:

> "I do not wish that my executor should press them for the payment of this debt; until they are in a situation so to do; when I hope their own *honor* and conscience, will prompt them, to make a settlement with their brothers and sisters in the following manner * * *"

He then states the manner of division to be one-seventh of both sums to be divided among William, Charlotte and Charles Beare, the children of his first wife; and to the children of his second wife, Henrietta, Thomas, Henry and Cornelia Beare, each one-seventh, and provides that any other sum being due or received after paying one-third to his widow, shall be divided "as before mentioned". The will appoints Frederick Gouverneur executor. The will was witnessed by John W. Marston, who, on October 10th, 1828, appeared before Surrogate James Campbell and proved the will. Although his son, Charles Philip Beare, predeceased his father, dying March 20th, 1828, no codicil was added to the will.

We are not informed as to the nature of the business dealings which William Henry Beare and Charles Philip Beare had with Warmoldus Cooper or Captain A. dePeyster. Warmoldus Cooper was a brother-in-law of William H. Beare, having married Elizabeth Seaman who was sister to the wife of William M. Beare. (See "The Seaman Family in America", p. 107.) Augustus dePeyster, or Captain dePeyster as he was ordinarily called, was apparently still living in 1885 when Walter Barrett published his "Old Merchants of New York City". Barrett says of him that he:

> "* * * is probably the oldest captain that has commanded ships out of New York now alive."

Mr. Barrett adds:

> "A more modest, unassuming man does not breathe and the young of the present generation who meet him in the streets or on the ferry boats never dream of the remarkable scenes that this gentle but apparently not very aged man has seen."

Mr. Barrett tells us that he was born in 1784 or 1786; that he sailed several voyages with Captain Whetten, one of John Jacob Astor's old captains; that he continued in the China trade until about 1828, when he went into the employ of Francis Depau who organized a line of packets from New York City to a port in France. Captain dePeyster is said by Barrett to have superintended the building, at Old Berg's Yard, of the ship *deRham,* which was named after Henry C. deRham. The *deRham* was launched in 1830 and Captain dePeyster commanded her. At another time Captain dePeyster commanded the *Sheridan.* Mr. Barrett adds that Captain Whetten died in 1845 and that Captain dePeyster became the Governor of the Sailor's Snug Harbor at Staten Island.

> "and has continued so up to the present date (1885) and I hope will continue there for many years longer."
> (Vol. I, pp. 210-213.)

Alice Van Wyck is referred to as Alice Young in a deed from the heirs at law of Thomas Marston in 1814, while in the deed from Brasher to Beare in 1828 she is referred to as Elsie Van Wyck.

It has already been pointed out that it was to secure the payment of Brasher's obligations that Brasher, in July, 1828, conveyed all the real estate of which he was seized and possessed in the City of New York to Beare. After Beare's death in September, 1828, Murray Hoffman, then a distinguished lawyer and subsequently Vice Chancellor, was appointed Trustee in place of Henry Martin Beare, and as such delivered a deed of some of this property which had been received from Brasher to Samuel F. Mott. Beare had evidently signed this deed on the day it bears date—September 8th, 1828. On September 29th, 1828, Beare died, and on February 13th, 1829, the record shows that Murray Hoffman, having been appointed Trustee in place of Henry Martin Beare, delivered this deed to Samuel F. Mott.

The record of certain events of his life which Captain Beare included in his outline journal refers only to the incidents which he deemed to have been of major importance. In closing his journal he says:

> "The numerous minor occurrences that have happened to me, if written out, would occupy a volume far exceeding Captain Riley's travels in Africa."

Not being familiar with Captain Riley or his travels, we were curious to get a copy of his book. It is a book of 618 pages, printed in large type. Its full title is

> "Loss of the American Brig *Commerce* Wrecked on the Western Coast of Africa in the Month of August, 1815. With an Account of Tombucktoo and of the Hitherto Undiscovered Great City of Wassana. By James Riley, Late Master and Supercargo."

It was published at London by John Murray, Albermarle Street, in 1817. In view of Beare's own adventures and ex-

CHARLOTTE (YOUNG) BEARE

(1785-1862)

From a portrait in the possession of Samuel Seabury

periences, it is just such a book as one would suppose likely to interest him during the closing years of his life. This book is said to have, in fact, been written by Anthony Bleecker (1770-1827), son of Anthony Lispenard and Mary (Noel) Bleecker, from the notes and data furnished to him by Captain James Riley. Dr. J. W. Francis in his "Old New York" (ed. 1815, p. 69) explains the conduct of Mr. Bleecker in publishing the work under another name, saying:

> "From the crude notes, journals and log books which Captain James Riley furnished (Anthony) Bleecker drew up gratuitously that popular 'Narrative of the Brig *Commerce*' which obtained so wide a circulation both in this country and abroad."

(See a biographical Sketch of Anthony Bleecker by Rev. Melatiah E. Dwight, New York Genealogical and Biographical Record, Vol. 34, pp. 231-233.)

Last Illness and Death.

Captain Beare's daughter, Henrietta, writes concerning her father that

> "For many years he was a great sufferer from asthma and found it impossible to write for any length of time, from difficulty in breathing and protracted fits of coughing."

Although it seems that Captain Beare signed the deed to Mott on September 8th, 1828, he must have been ill at that time. The outbreak of fever which was so prevalent in and around New York at that period had affected him. In a letter from his daughter, Henrietta, to Miss Saltonstall, whom her brother, Thomas Marston Beare, afterwards married, and which bears date October 9th, 1828, she describes the illness of her mother, and in it says:

> "I derive consolation from seeing the physican in no way alarmed for Mamma's safety. Her fever, he

> says, is the natural consequence of exhaustion. Wearied and worn out with constant anxiety and watching, it is not strange that a constitution even as strong as hers, should be overcome by such unwearied excitement. With Brother she was engaged for a whole fortnight, almost day and night, then followed a week's attendance on my poor father, till seven days previous to his death, when she was positively forbidden to enter his room and has not left her bed since."

Captain Beare died in New York September 29th, 1828, at his residence No. 296 Broadway. In the New York Evening Post of Tuesday, September 30th, 1828, among the death notices appeared the following:

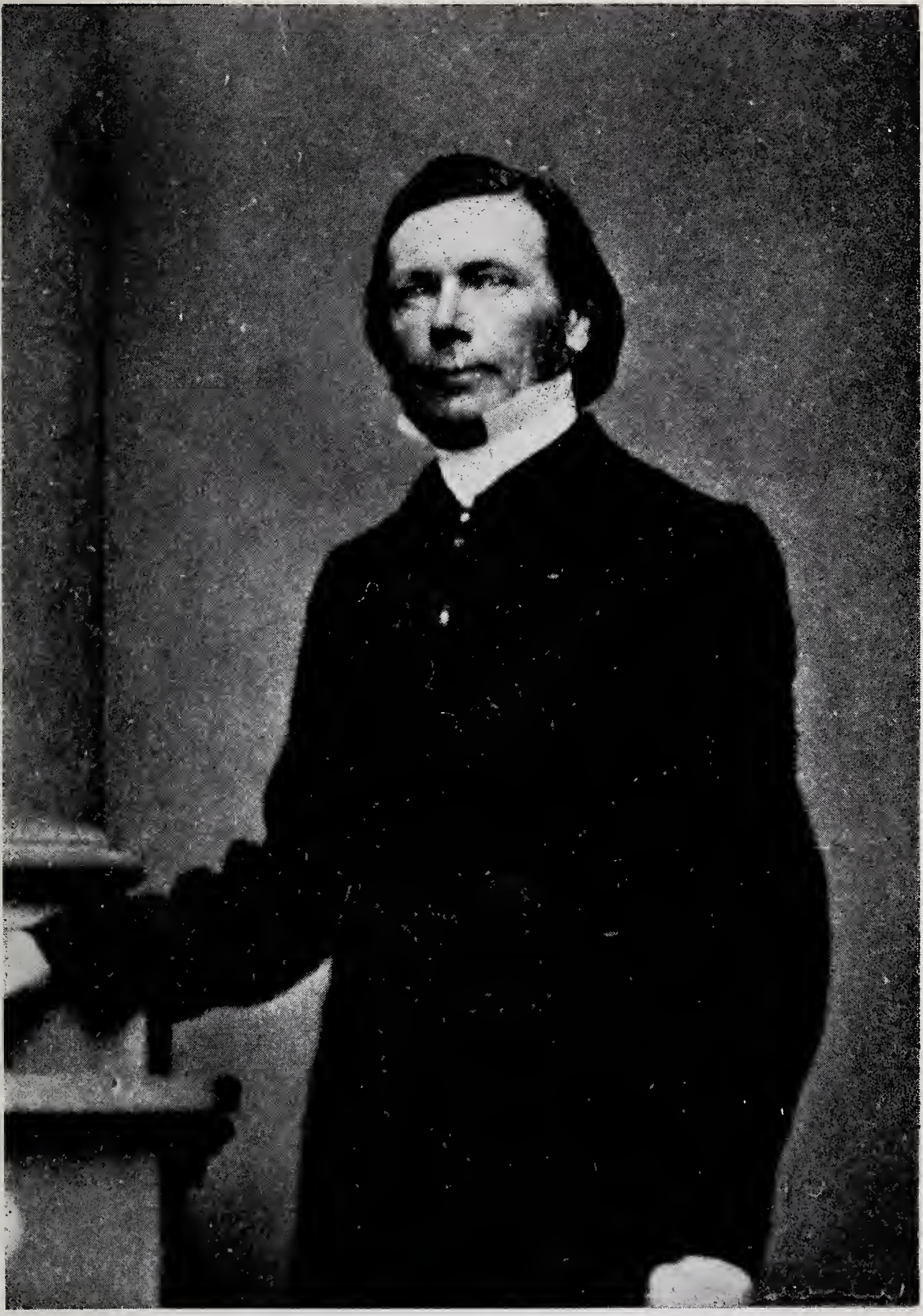
> "Yesterday, Capt. Henry M. Beare age 63 years—his relations and friends, and those of the family, are requested to attend his funeral this afternoon, at 4 o'clock, from his late residence, No. 296 Broadway."

The records of the New York City Department of Health contain an entry to the effect that the "date of decease" was September 30th, 1828. The name is given as "Beare, Captn. Henry M."; his residence is stated as "Broadway" and his age as "68" years. Under the printed heading "Place of Nativity" is "New York"; under the heading "Disease" is the word "fever" and under the heading "Cemetery" is the word "Trinity". The reference to the age of Captain Beare in the death notice in the New York Evening Post as 63, is, as has been pointed out above, incorrect. At the time of his death he was 68 years old. Peculiarly enough, in view of the fact that his daughter apparently believed him to be 63, the New York City Department of Health record gives his age correctly as "68". By what accident "New York" was placed under the printed heading "Place of Nativity", we do not know. It has no significance and was doubtless due merely to the carelessness of the department clerk who made the entry. The reference to his interment in "Trinity" means

St. John's Burying Ground and not Trinity Cemetery which was not in existence at that time (Register of Burial, Trinity Parish, Vol. 2, p. 235).

Captain Beare was survived by his widow, by his son, William Henry Beare, and by his daughter, Rene Maria Charlotte Beare, who were the children of his first marriage, and by the four children of his second marriage, namely, Henrietta Margaret Beare, who later became the wife of Dr. Joseph M. Smith of New York; his son, Thomas Marston Beare, who won for himself a fine reputation for integrity and business ability; his daughter, Cornelia Matilda Beare, who married Dr. William B. Casey of Middletown, Connecticut; and a son Henry Martin Beare, who became a clergyman in the Protestant Episcopal Church.

Such is the record of the life of Henry Martin Beare as we have been able to piece it together from his own outline journal and from such other records as we have been able to discover relating to him. The sixty-eight years which span the time when his birth was recorded in the parish church of Wolborough, Devon, to his death in New York City, were marked by an extraordinary activity.



REV. HENRY MARTIN BEARE, D.D.

(1815-1887)

From a photograph in the possession of Samuel Seabury

CHAPTER V.

Descendants of Henry Martin Beare.

I. (1) **HENRY MARTIN BEARE**

b. February 7th, 1760, Devonshire, England.

d. September 29th, 1828, New York City.

m. First, February 3rd, 1793, at the Isle of France, Elizabeth Macarty, aged 18, daughter of Francis and Elizabeth Macarty, niece and adopted daughter of William Macarty, native of Hartford, Connecticut, and American Consul of the Island. She died in 1799 aged 24.

m. Second, on November 2nd, 1802, in New York City, Charlotte Young, daughter of William and Margaret (Marston) Young. She was born April 6th, 1785, in New York City, and was living at Middletown, Connecticut, in 1862, where a photograph was taken of her. She died, at Middletown, Connecticut, September 26th, 1862.

Issue by first wife:

II. (2) 1. William Henry Beare
b. March 11th, 1794 at the Isle of France.

II. (3) 2. Rene Maria Charlotte Beare
b. November 20th, 1795, at the Isle of France.

II. (4) 3. Charles Philip Beare
b. January 27th, 1797, at Hamburg.

The issue of the second marriage were:

II. (5) 1. Henrietta Margaret Beare
b. October 17th, 1804, at New York City.

II. (6) 2. Thomas Marston Beare
b. March 29th, 1806, at sea off the S. E. end of Madagascar.

II. (7) 3. Henry Martin Beare
b. September 14th, 1815, at New York City.

II. (8) 4. Cornelia Matilda Beare
b. October 16th, 1818, at New York City.

II. (2) **WILLIAM HENRY BEARE**[2] **(Henry Martin Beare**[1]**)**

Son of Henry Martin and Elizabeth (Macarty) Beare.

b. March 11th, 1794, at the Isle of France.

d. July 18th, 1870, at Eltingville, Staten Island.

m. First, Maria Seaman, daughter of William and Elizabeth (Benson) Seaman of Staten Island, New York.

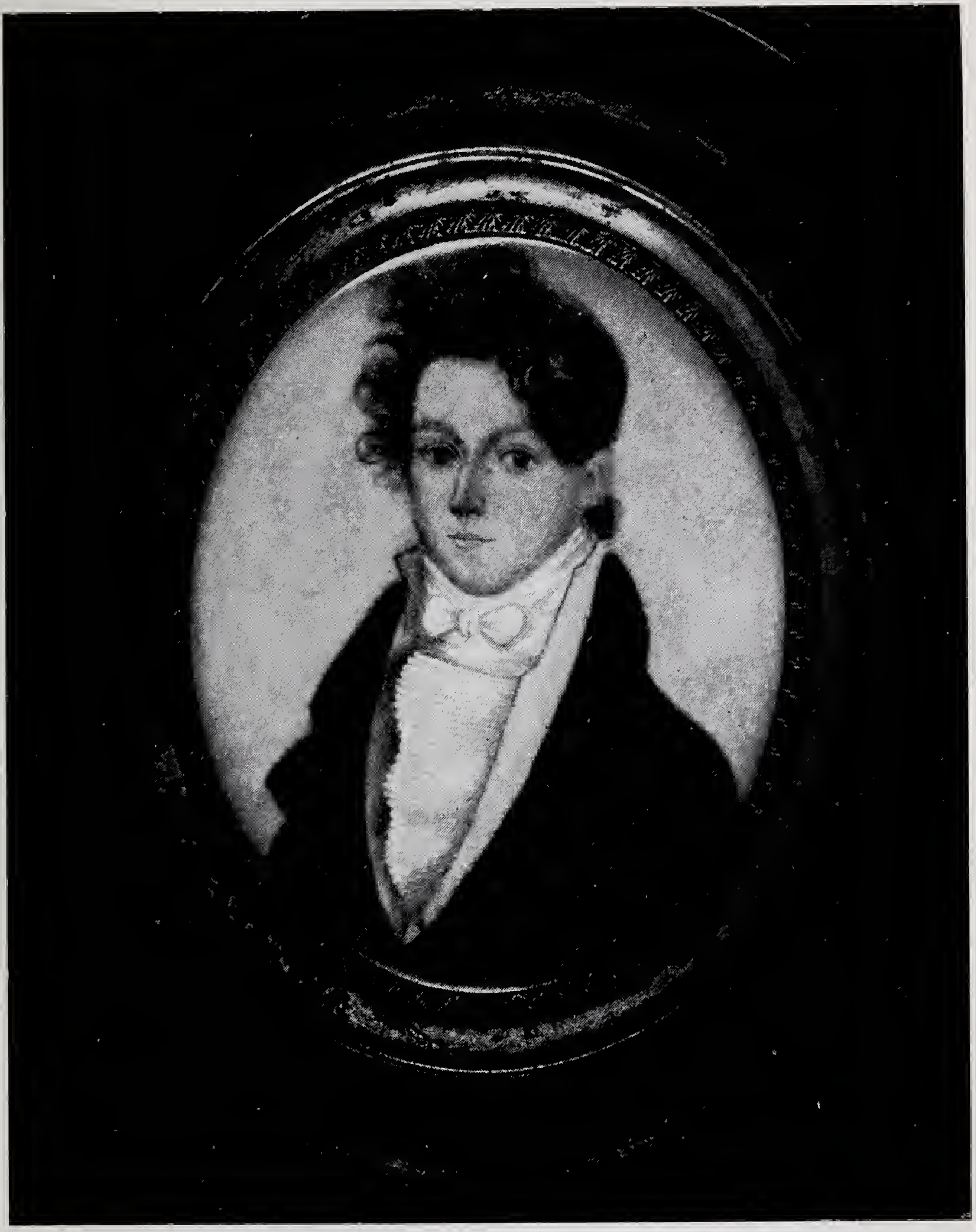
m. Second, Julia Jane Seaman, a sister of his first wife and daughter of William and Elizabeth (Benson) Seaman. She was born August 25th, 1802. d. July 5th, 1879.

Issue by first wife:

III. (9) 1. Elizabeth Beare

III. (10) 2. William Seaman Beare
b. August 2nd, 1825, at New York City.

III. (11) 3. Maria Beare
d. aged 5 years.



WILLIAM HENRY BEARE

(1794-1870)

From a miniature in the possession of Mrs. Emil deZarauz

Issue by second wife:

III. **(12)** 1. Julia Maria Beare
b. 1835.

III. **(13)** 2. Fannie Beare

III. **(14)** 3. Susan G. Beare

III. **(15)** 4. Anna H. Beare

III. **(16)** 5. Harriet Beare

III. **(17)** 6. Charles Philip Beare
b. 1839, at Brooklyn, N. Y.

William Henry Beare was born at the Isle of France. He was probably with his parents in Hamburg in 1797, when his brother, Charles Philip, was born. He probably came to the United States with his father and brother and sister some time prior to 1802. Before his father's death, he was unsuccessful in business ventures and that fact is referred to in his father's will. His partners in these ventures were Warmoldus Cooper and Captain Augustus DePeyster, to whom references are made in Chapter IV. Warmoldus Cooper was his brother-in-law, having married Elizabeth Seaman, a sister of both his wives.

The Brooklyn Directory shows William Henry Beare as a bookkeeper in 1861 and as accountant in 1862 and a commission merchant in 1863, residing at 54 Hoyt Street, Brooklyn. In Trow's New York City Directory in 1865, a William H. Beare is referred to as a clerk in South William Street. He died at Eltingville, Staten Island, and was buried in the Protestant Episcopal Parish Church, St. Andrews, Richmond, Staten Island. The inscription on his grave stone is as follows:

> "Sacred to the memory of William Henry Beare, born March 11, 1793, died July 18, 1870."

The date of birth stated on the tomb stone of William Henry Beare is incorrect. The month, and day of the month are correct, but the year should be 1794, not 1793. This fact is attested by the extract from the register of the Acts of the Civil Status of the District of Port Louis in the Island of Mauritius for the year 1794, Vol. I, folio V, which is set forth in chapter IV. He left a will dated September, 1869, with a codicil dated February, 1870. It is recorded in Liber M of Wills at page 18, Richmond County, New York. The will gives his whole estate to his wife, Julia, for her use:

> "during her natural life and after her decease to be divided according to the law."

Provision is made for the repayment of a debt of Three Hundred Dollars to his daughter, Elizabeth,

> "a child of my first wife."

His son, Charles P. Beare, is named as executor. The codicil provides for the disposal of his property after his wife's death and directs that in that event all his estate shall go to his unmarried daughters for their use while they are unmarried.

His second wife, Julia Jane Seaman, born August 25th, 1802, died at Eltingville, Staten Island, July 5th, 1879. She was buried at the Protestant Episcopal Parish Church, St. Andrews, Richmond, Staten Island. Her tomb stone contains the following inscription:

> "Sacred to the memory of Julia Jane, widow of William Henry Beare, born August 25, 1802, died July 5th, 1879."

Copies of the inscription on this tomb stone and on that of her husband, William Henry Beare, are to be found in "The Church of St. Andrew, Richmond, Staten Island, Its History, Vital Records and Grave Stone Inscriptions" by William T. Davis, Charles W. Leng and Roydon Woodward Vosburg. The inscription on the tomb stone of Julia Jane Beare is No. 361 and is to be found at page 198; and the inscription on the tomb stone of William Henry Beare is No. 362 and is to be found on page 199.

Maria Seaman, the first wife of William Henry Beare, and Julia Jane Seaman, the second wife of William Henry Beare, were sisters, and were children of William and Elizabeth (Benson) Seaman. William Seaman was a descendant of Captain John Seaman of Hempstead, Long Island. See as to ancestry of Maria and Julia Jane Seaman "The Seaman Family in America, N. Y. 1928", by Mary Thomas Seaman.

II. (3) RENE MARIA CHARLOTTE BEARE[2] (Henry Martin Beare[1])

Daughter of Henry Martin and Elizabeth (Macarty) Beare.

b. November 20th, 1795, at the Isle of France. She probably was, with her parents and brother, William, in Hamburg in 1797, where her brother, Charles Philip, was born on January 27th of that year. Her mother died in 1799 and she probably came to the United States with her father and her two brothers at some time prior to 1802. She is mentioned as living in her father's will dated December 29th, 1826. She is one of the group with her two brothers and her mother's aunt, Mrs. William Macarty, in the portrait which was probably painted in the Isle of France, and a photograph of which is reproduced herein.

II. (4) CHARLES PHILIP BEARE[2] (Henry Martin Beare[1])

Son of Henry Martin and Elizabeth (Macarty) Beare.

b. January 27th, 1797, in Hamburg.

d. March 20th, 1828, in New York City. He is one of the group, with his eldest brother and his sister and his mother's aunt, Mrs. William Macarty, which was probably painted in the Isle of France, and a photograph of which is reproduced herein.

He probably came to the United States with his father and his brother and sister at some time prior to 1802. His father's will refers to him and to his brother, William, as indebted to his estate by reason of certain loans which his father had made to them in business ventures which proved unsuccessful. The will which contains this reference is dated December 29th, 1826, but his father did not die until September 29th, 1828. There was no change or codicil attached to this will, notwithstanding the fact that Charles Philip Beare predeceased his father. The record from the New York City Department of Health gives the date of his death as March 21st, 1828, but I think March 20th is the correct date, and the 21st the day upon which proof of death was filed. At the time of his death he was residing in Pine Street, New York City. The entry as to the disease from which he died is:

"Fever, Bils, Remit."

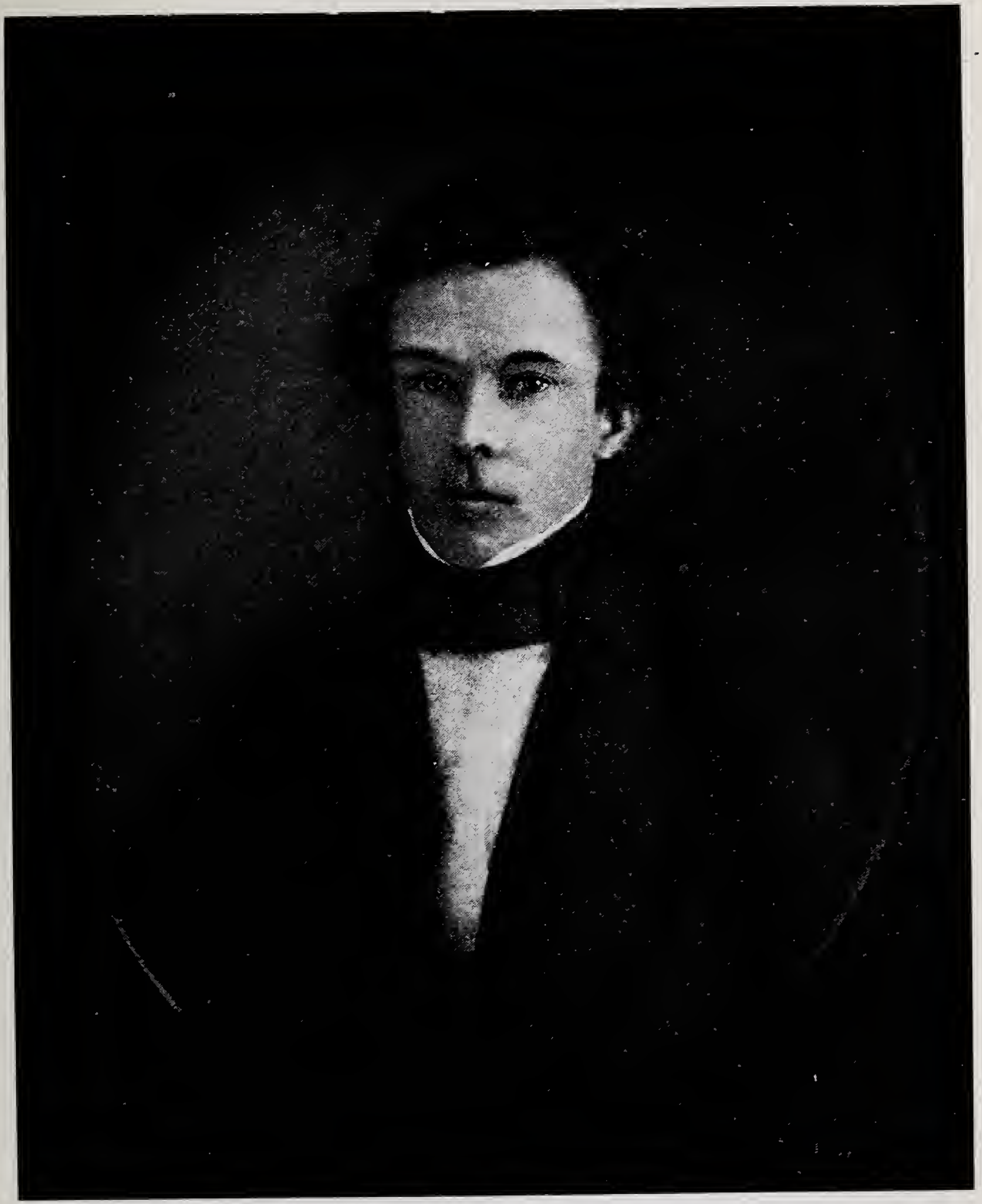
It appears from the entry in the records of the New York City Department of Health that he was buried in Trinity Churchyard, Broadway. He died unmarried.

II. (5) HENRIETTA MARGARET BEARE[2]
(Henry Martin Beare[1])

Daughter of Henry Martin and Charlotte (Young) Beare.

b. October 17th, 1804, in New York City.

m. May 30th, 1831, to Dr. Joseph M. Smith, at New York by Rev. Manton Eastburn. (See N. Y. Spectator). Dr. Smith died April, 1866.



THOMAS MARSTON BEARE

(1806-1869)

From a daguerreotype in the possession of Samuel Seabury

They had issue:

III. (18) 1. Gouverneur Mather Smith
b. 1832.

III. (19) 2. Josephine Mather Smith
b. 1836.

III. (20) 3. Lewis Bayard Smith
b. August 16th, 1839.

III. (21) 4. Emily Meier Smith
b. 1841.

III. (22) 5. Henry Erskine Smith
b. 1842.

II. (6) **THOMAS MARSTON BEARE [2] (Henry Martin Beare [1])**

Son of Henry Martin and Charlotte (Young) Beare.

b. March 29th, 1806, at sea off the S. E. end of Madagascar.

d. November 23rd, 1869, at 345 West 14th Street, New York City.

m. May 13th, 1830, in New York City by Rt. Rev. Bishop Hobart to Mary Susan Saltonstall, daughter of William and Maria (Hudson) Saltonstall. (See "N. Y. Mercury," May 19th, 1830, Vol. II, p. 304; also "N. Y. Spectator," May 14th, 1830.) She was born May 14th, 1807, in New York City. She died October 1st, 1869, at 345 West 14th Street, New York City. The funeral ceremony was conducted by her brother-in-law, Rev. Henry M. Beare, October 5th, 1869.

They had issue:

III. (23) 1. Thomas Marston Beare
b. March 30th, 1831, at New York City.

III. (24) 2. Charlotte Beare
b. September 5th, 1835, at New York City.

III. (25) 3. Isabel Beare
b. May 6th, 1836, at New York City.

III. (26) 4. James Johnston Beare
b. January 31st, 1838, at New York City.

III. (27) 5. Frances Beare
b. At New York City.
d. In infancy.

III. (28) 6. A child who died in infancy.

III. (29) 7. Alice Van Wyck Beare
b. June 1st, 1843, at New York City.

III. (30) 8. Jane Johnston Beare
b. May 26th, 1848, at New York City.

III. (31) 9. Louisa de Lagnel Beare
b. June 17th, 1850, at New York City.

The father of Mary Susan Saltonstall was William Saltonstall, son of Rosewell and Elizabeth (Stewart) Saltonstall and a great grandson of Governor Gurdon Saltonstall of Connecticut. (See "Ancestry of Sir Richard Saltonstall, First Associate of Massachusetts Bay Colony and Patentee of Connecticut" by Hon. Leverett Saltonstall, printed at the Riverside Press 1897.) Elizabeth Stewart who married Rosewell Saltonstall was the daughter of Matthew and Abigail (Gardiner) Stewart of New London. Matthew Stewart and Abigail Gardiner, the daughter of William Gardiner, esq., of Newport, Rhode Island, were married at Newport, 19th October 1735.

Mary Susan Saltonstall's parents were married at the island of Madeira in 1804. There were three children of this marriage, who were born in New York City and baptized in Trinity Church, New York. These children were Mary Susan Saltonstall, born May 14th, 1807; William Saltonstall, born November 10th, 1808 and Henry William Saltonstall, born May 17th, 1810. We have not the date of death of the mother of these children. Their father spent much of his life

MARY SUSAN SALTONSTALL BEARE

(1809-1869)

From a photograph in the possession of Samuel Seabury

abroad. He died at Pensacola in May, 1822. From the time that she was about six or seven years old, Mary Susan Saltonstall was brought up by her father's sister and brother.. In 1824 she was at Miss Bennett's school for young ladies in New York City. There is inserted below a copy of a letter to her while she was at Miss Bennett's school in 1824 from her uncle Francis Walter Saltonstall, who was her father's youngest brother. Her "Aunt Fanny" referred to in it was Frances Saltonstall, her father's youngest sister who was living in 1841. The letter was retained by her during her whole life. It is as follows:

> "Boston 10 Apl. 1824.
>
> "My belov'd Susan,
>
> It gave me very great pleasure to hear from you by Col. Wainwright. He called the day after his arrival and handed me your letter, with one from your Aunt Fanny, who has given me a flattering account of your attention to your studies and also of your improvement. You cannot give me a greater proof of the love you bear me than that of following the advice I have so often impress'd upon you, relative to your education. Continue then my dear girl to bestow all the exertion in your power upon your books; attend strictly to the commands of Miss Bennett & I am sure, that under such an able instructress, you cannot fail to become an ornament to society and an honor to yourself.
>
> I shall soon embrace you in New York I hope, but in case I should be disappointed for some time longer, you will hear again from your affec.
>
> Uncle Frank"

After leaving school, she lived for different periods with her Aunt Mary Fell in New York City and at Coldenham, New York, and with her Aunt Abigail Handy who was the wife of Dr. William Handy of Newport, Rhode Island, and at that time resided at No. 12 Warren Street, New York City. She also spent some time at New Brunswick, New Jersey, with her great aunt, Mrs. John Robinson, who was her grandmother's youngest sister, Hannah Stewart, who married first, George Mumford of New London and secondly, John Robinson. She stayed for varying periods with her aunts from 1825, when she was eighteen years of age, until her marriage, which took place in her twenty-third year. There are extant several letters written to her by Thomas Marston Beare both before and after her marriage to him. She was a woman of great charm and strength of character, active in mind and of a bright and cheerful disposition. Her interests centered in her affections for her husband and children, in the assistance which she freely rendered to others, and in devoting herself to the manifold duties incident to the care and upbringing of a large family.

The following obituary notice appeared in the New York papers at the time of Mr. Beare's death:

> (1869) Thomas Marston Beare died at his residence, West 14th St., on Tuesday evening, 23d November. Mr. Beare was born in March, 1806. His father was a retired officer of the British Navy. His parents were residents of this city. He commenced his commercial career in the house of Thomas H. Smith & Son, the celebrated tea merchants. Afterwards he became the assistant cashier of a city bank. For the last seventeen years he has been the agent of William B. Astor, Esq. He was remarkable for his executive ability and a man of strict integrity. Mr. Beare had also been agent for the Costar and Bruen Estates and also for that of Mrs. Douglas Cruger. He married when young and leaves four children, daughters, three unmarried, and one married.
>
> For several years he was a vestryman of St. Mark's Church, but recently has been connected with the Church of the Annunciation. Mr. Beare's death resulted from consumption, and was accelerated by the demise of his wife, which occurred

some seven weeks since. He leaves a handsome fortune. His funeral obsequies took place on Saturday afternoon, 27th November, from the Church of the Annunciation on West Fourteenth St. The Church was crowded with the friends of the deceased. The burial service was read by the Revs. Drs. Francis Vinton and Francis C. Lawrence. The pall bearers were William B. Astor, John Jacob Astor, Henry Bruce, ex-Mayor Kingsland, Daniel Costar, D. Kissam, A. L. Bleecker, Alexander Bruen, M. D., James D. Fitch, M. D., Charles F. Southmayd and Ferdinand Lawrence. The remains were taken to Greenwood Cemetery and deposited in the Family tomb.

"Mark the perfect man and behold the upright; for the end of that man is peace."

II. (7) **HENRY MARTIN BEARE[2] (Henry Martin Beare[1])**

Son of Henry Martin and Charlotte (Young) Beare.

b. September 14th, 1815, at New York City.

bp. December 25, 1815, Trinity Church Records.

d. January 9th, 1887. Buried in the Beare vault, Greenwood Cemetery, Brooklyn.

m. First, Charlotte Elizabeth Grosvenor, daughter of Payson P. Grosvenor. She was born 1820, died January 24th, 1853, and was buried in the Beare vault at Greenwood Cemetery, Brooklyn.

m. Second, Mrs. Anderson. There was no issue of this marriage.

Issue by first wife:

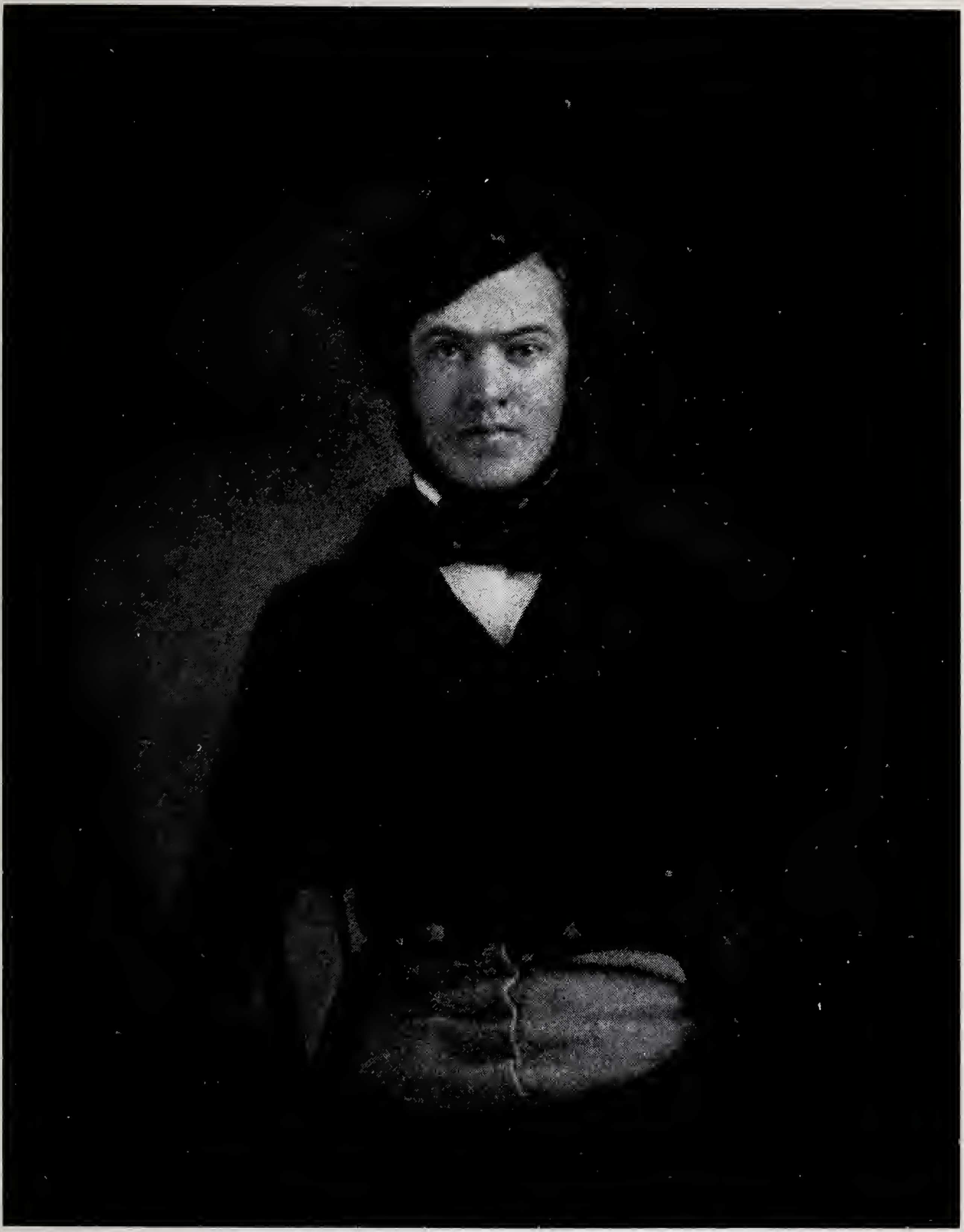
III. (32) 1. Charlotte Grosvenor Beare
b. October 24th, 1844, at Little Neck, L. I.

III. (33) 2. Matilda C. Beare

He was Rector of Zion Church, Douglaston, Long Island, from 1842 until his death in 1887.

In the "Chronicles of Zion Church, 1830-1930", by the Rev. Lester Leake Riley, is a reference to the Rev. Henry M. Beare. After pointing out that the Rectorship of the Parish was vacant from 1839, and that Mr. Beare became minister in charge in 1842, he says:

> "* * * the Rev. Henry Beare became minister-in-charge on May 1st, 1842, at a salary of $150 a year and hay and grain provision for his horse. He was not formally called as rector until Easter, 1845.
>
> Mr. Beare's tenure of office practically continued until his death in 1887, though he was away for two years as rector of St. Thomas' Church, Brooklyn, and during that period the Rev. Marshall Whiting served as minister-in-charge. Little Neck continued to claim him, however, and would not let him go. 'Here I hope to live and die', he repeatedly declared after his return and gladly and fully he gave himself in unstinted service to his community. Dr. Beare was born in New York City, September 14th, 1815. His first wife was Charlotte Grosvenor of a well-known City family. She died on January 24th, 1853, honored by all with the sincerest affection. Nashotah Seminary, in recognition of his scholarly attainments and sound culture conferred upon Mr. Beare the Doctor of Divinity Degree. His long service of practically forty-five years is treasured in the family memories of this countryside. He was in every way the 'parson' of the village and all the people found in him that fine quality of life that knows no distinction of class or creed. And, be it noted, the same spirit of generous inclusiveness obtains in the Zion of today, as it gathers its fold from folk of many faiths in the congenial fellowship of our own days' broadening Christian experience. Zion's people honor his memory, not only in the brass tablet upon its interior wall but writ deep upon the tablet of their hearts, his life's impress remains from one generation to another. Of his family life, there is an interesting word in the autobiography of the famous Dr. Edward Livingston Trudeau, who married Dr. Beare's daughter,



WILLIAM BRYAN CASEY, M. D.

(1815-1870)

Charlotte, on June 29th, 1871, and was accorded a community wedding reception at the manor-home of William P. Douglas. Dr. Trudeau was a vestryman of Zion Church from 1872 to 1882. He writes: 'I got more help from the visits I paid to Miss Beare at her home on Long Island than from any one else. Miss Beare's mother and sister had died a couple of years before and she and her father lived in the little rectory cottage on the turnpike to New York. As time passed I found that the hours spent in the little cottage by the roadside, inhabited by the saintly old clergyman and presided over by his charming daughter, who helped her father with his parish work, played the organ on Sunday and was beloved by the rich and poor of the neighborhood far and wide, brought more peace to my sorrowing spirit than I could find anywhere else.' After their marriage, he continues, 'as we both loved the country, we hired the little cottage at the gate of the Douglas' place and I decided to try to get some practise on Long Island. Our little daughter Charlotte, always known as 'Chatte', was born in the Douglas cottage and we spent a very happy and peaceful year there. I soon tired of country practice and the lack of opportunity for advancing in my profession and a year after our return from Europe we moved to New York.' "

II. (8) **CORNELIA MATILDA BEARE[2] (Henry Martin Beare[1])**

Daughter of Henry Martin and Charlotte (Young) Beare.

b. October 16th, 1818, at New York City.

bp. February 19th, 1819.

d. March 28th, 1852, at Middletown, Conn., aged 33 years.

m. November 9th, 1837, by Rev. Dr. Eastburn, New York, to Dr. William Bryan Casey, Middletown, Conn. He was the son of James and Susan (Chandler)

Casey. He was born December 28th, 1815, at Middletown, Conn. He died March 26th, 1870, at Middletown, Conn.

They had issue:

III. (34) 1. William Chandler Casey
b. September 28th, 1838, at New York.

III. (35) 2. Clara Alsop Casey
b. June 16th, 1840, at Middletown, Conn.

III. (36) 3. Henry Martin Beare Casey
b. September 3rd, 1841, at Middletown, Conn.

(bp. Dec. 25th, 1841; bur. Apr. 17th, 1849.)

III. (37) 4. James Harmer Casey
b. July 21st, 1843, at Middletown, Conn.

III. (38) 5. Mary Casey
b. November 9th, 1845, at Middletown, Conn.

(bp. Apr. 5th 1846; bur. Apr. 22nd, 1848.)

III. (39) 6. Alice Casey
b. March 13th, 1848, at Middletown, Conn.

(bp. Apr. 21st, 1848; bur. Sept. 14th, 1849.)

III. (40) 7. Lucy Alsop Casey
b. November 8th, 1849, at Middletown, Conn.

III. (41) 8. Cornelia Matilda Casey
b. March 3rd, 1852, at Middletown, Conn.

Dr. William B. Casey married second, at Middletown, Conn., October 5th, 1854, Margaret Marston deKoven, daughter of Henry Louis and Margaret Yates (Sebor) deKoven, of Middletown. They were married by Rev. Dr. Goodwin. She survived him. She was born December 3rd, 1820; died March 27th, 1900, at 10 West 30th Street, New York City, aged 79 years, 3 months.

(See records of the Church of the Holy Trinity, Middletown, Conn., and Town Records of Middletown, Conn.)

Dr. William Bryan Casey's father, James Casey, was born July 1st, 1760, in Manchester, England. He married January 16th, 1805, Susan Chandler, who was born September 6th, 1781, at New Haven, Conn. James Casey died at Middletown, February, 1822. His wife died August, 1868 at Middletown.

William Bryan Casey, M. D., graduated from Columbia College, New York, in 1833. He studied medicine and was graduated from the University of Pennsylvania and began the practice of medicine in New York City in 1836. He was for a time connected with St. Luke's Hospital. In 1839, he was practicing in Middletown, Connecticut, and was Mayor of the City of Middletown in 1850. He was ex-officio Chairman of the Committee in charge of the Second Centennial Anniversary of Middletown. Owing to the absence of the Rev. Dr. Field, the duty of supplying his place devolved upon Dr. Casey, the Chairman of the Committee, who was then Mayor of the City. He delivered a short introductory address, a copy of which is printed with the account of the Centennial celebration. He served as a surgeon in the army of the United States during the Civil War.

Dr. Casey, in addition to his other duties, was a member of the firm of W. B. Casey & Company, into whose hands passed the "Daily News". It was the first serious attempt at the establishment of a newspaper in Middletown. Its publication was commenced by J. N. Phelps & Company in October, 1850. In March, 1851, it was acquired by W. B. Casey & Company, who conducted its publication until October, 1851,

> "* * * when, its circulation being limited and the editor's time taken up with his other professional duties, it was discontinued." (See Centennial Address by David D. Field, D. D., with Historical Sketch, pp. 199, 227, 230.)

The history of Middlesex County, Connecticut, published by J. B. Beers and Company of New York in 1884 contained a chapter on the medical profession written by Dr. Rufus W. Mathewson of Durham, from which the following paragraph is taken:

> "William Bryan Casey was born in Middletown in 1815 and graduated from Columbia College, N. Y., in 1834. He received the degree of M. D. from the University of Pennsylvania in 1837. He was physician to the New York Dispensary from 1837 to 1839, and practised in Middletown from 1839 'till 1860. He was an army surgeon during the war of the Rebellion, and lectured on Obstetrics at Yale College in 1863 and 1864. He died in Middletown in 1870. He was one of the original trustees of the General Hospital for the Insane. He was mayor of Middletown in 1851."

Mr. Frank Farnsworth Starr of Middletown, Connecticut, writes concerning the first wife of Dr. Casey:

> "Mrs. Cornelia Casey was walking along Main Street, Middletown, in front of a building in process of erection when a brick fell and struck her on the head which caused her death. My mother was acquainted with her and said that Mrs. Casey was a very lovely woman."

III. (9) ELIZABETH BEARE [3] (William Henry Beare [2], Henry Martin Beare [1])

Daughter of William Henry and Maria (Seaman) Beare.

She is mentioned in her father's will, where provision is made for the return to her of a debt of $300.

She was named for her mother's sister, Elizabeth Seaman, who married Warmoldus Cooper.

She died unmarried at the age of 80.

III. (10) **WILLIAM SEAMAN BEARE ^{3} (William Henry ^{2}, Henry Martin Beare ^{1})**

Son of William Henry and Maria (Seaman) Beare.

b. August 2nd, 1825, at New York City.

d. April 20th, 1868, in Washington, D. C.

m. November 28th, 1861, in Washington, D. C., Eliza Jane Stephens, daughter of Edward and Elizabeth (James) Stephens. She was born January 2nd, 1827, in Washington, D. C., and died November 21st, 1908, in New York City.

They had issue:

IV. (42) 1. Leila Beare
b. November 5th, 1862, at Washington, D. C.

IV. (43) 2. Effie Beare
b. April 18th, 1865, at Washington, D. C.

III. (12) **JULIA MARIA BEARE ^{3} (William Henry Beare ^{2}, Henry Martin Beare ^{1})**

Daughter of William Henry and Julia Jane (Seaman) Beare.

b. 1835.

She had the name Julia from her mother and the name Maria from her mother's sister, who was her father's first wife.

d. February 14th, 1886, at 242A Steuben Street, Brooklyn.

m. December 5th, 1866, Valentine Hall Voorhees, son of John and Hannah Frances (Hall) Voorhees. He was baptized November 19th, 1830, and died in Brooklyn in 1889. He left a will dated August, 1879, and probated April 23rd, 1889. See Liber 139, page 107 of Wills of Kings County, New York. His widow is named as Executrix of his will, which leaves all his property to his widow and in the event of her remarriage the property 142 Hudson Avenue to his son. In the event of the death of his son, the house and lot to be sold and the proceeds divided equally between Elizabeth B. Beare, Harriet Beare, Susan G. Beare and Anna H. Beare, "sisters of my wife, Julia Maria".

They had issue:

IV. (44) 1. Franklin Voorhees

b. September 25th, 1867, at Brooklyn, New York.

(See the Van Voorhees Family, Vol. II, p. 373; also "The Seaman Family In America", pp. 107 and 108. Will of Valentine H. Voorhees, Liber 139, p. 107, Kings County, N. Y. Certificate of death of Julia Maria Voorhees, Department of Health, City of Brooklyn.)

III. (13) **FANNIE BEARE ^{3} (William Henry Beare ^{2} Henry Martin Beare ^{1})**

Daughter of William Henry and Julia Jane (Seaman) Beare.

m. Andrew Thompson.

d. 1906.

CHARLES PHILIP BEARE
(1839-1878)

Letters of Administration of her estate were granted February, 1906, to Andrew Thompson. (Liber 13, p. 196, of Letters of Administration, Kings County, N. Y.) She was named for her mother's sister, Fanny Seaman, who married Rev. William Henry Thurston.

They left no issue.

III. (14) **SUSAN G. BEARE [3] (William Henry Beare [2], Henry Martin Beare [1])**

Daughter of William Henry and Julia Jane (Seaman) Beare.

She was named for her mother's sister, Susan M. Seaman, who married Rev. Kingston Goddard.

III. (15) **ANNA H. BEARE [3] (William Henry Beare [2], Henry Martin Beare [1])**

Daughter of William Henry and Julia Jane (Seaman) Beare.

d. unmarried.

III. (16) **HARRIET BEARE [3] (William Henry Beare [2], Henry Martin Beare [1])**

Daughter of William Henry and Julia Jane (Seaman) Beare.

d. unmarried.

She was named for her mother's sister, Harriet Seaman, who married Farnham Hall.

III. (17) **CHARLES PHILIP BEARE [3] (William Henry Beare [2], Henry Martin Beare [1])**

Son of William Henry and Julia Jane (Seaman) Beare.

b. 1839, in Brooklyn, N. Y.

d. January 12th, 1878, buried in Morristown, New Jersey.

m. November 28th, 1868, Cornelia Roxanna Tredwell, daughter of Alfred Montgomery and Anna (Munson) Tredwell. She was born in 1846, New York City.

They lived in Staten Island for two years after they were married. He served in the U. S. Army during two periods of the Civil War but was obliged to leave the army on account of ill health. He is named as executor of his father's will. The Brooklyn Directory shows Charles P. Beare as teller in 1861; his name is also in the Directory for 1862 and 1863 as residing at 54 Hoyt Street, Brooklyn.

He was named for his father's younger brother, Charles Philip Beare.

They had issue:

IV. **(45)** 1. Julia Tredwell Beare
b. August 31st, 1871, at Staten Island, N. Y.

IV. **(46)** 2. Cornelia Beare
b. at South Orange, N. J.

IV. **(47)** 3. Charles Philip Beare
b. at South Orange, N. J.
d. at the age of five months.

The following obituary notice appeared at the time of Mr. Beare's death:

> "Died—On Saturday at 3 p. m., January 12th, 1878, of pneumonia, Charles P. Beare, in the 39th year of his age.
>
> "Mr. Beare was born in New York City. At the age of nine years his parents removed to Brooklyn, where

he resided until the war broke out, when he enlisted in the 9th regiment N. Y. V. His health failing, he came home, but afterwards went out in the 23d regiment, from Brooklyn. Never very rugged in health, it is thought his constitution sustained a permanent injury from the exposures incident to camp life. Soon after the war he entered the Fourth National Bank of New York, and by close attention to business, was soon promoted to the position of Assistant Teller, and until his decease, a period of nearly twelve years, he filled the place to the entire satisfaction of the bank officials. Of late his duties have been too severe, as was seen in the early stages of his illness, when he talked perpetually of figures, bank-books, money, etc. Possessed of a strong will, he continued to labor when he should have been enjoying the comforts of his pleasant home. He was a member of the Episcopal church of South Orange, and a consistent Christian man in every sense of the word. Quiet and unobstrusive, he still felt a deep interest in what was going on around him, and for his friends he entertained a lively sympathy, which found exercise in deeds of kindness and words of cheer. Those who had the pleasure of an intimate personal acquaintance, were struck with the genial generosity of his nature. He came to South Orange about six years ago, and during his residence here made hosts of warm friends, who mourn his untimely end with sincere sorrow. When a good man in the prime of life, in the midst of his usefulness, is taken away, the community must feel it, and lose by it.

"Mr. Beare was married in 1868 to a daughter of Mr. A. M. Tredwell, of Madison, New Jersey. Two interesting little girls, scarcely old enough to comprehend their great loss, with their mother, are left to endure a cold world's frowns, and tread its difficult paths alone. May the God of the widow and the fatherless be their guide and support through all their earthly pilgrimage.

"The funeral was held at the house on Tuesday last. Rev. H. V. Degen officiating, assisted by Rev. J. H. Worcester, and D. C. Weston, D. D., of Madison.

The services were very impressive and affecting. The floral display was exceedingly beautiful. Wreaths of roses and amaranth covered the casket, while a shield of roses with the words 'At Rest', worked among them with forget-me-nots, was placed at its head. A large assemblage of friends, from New York, Morristown, and our own village, paid their last respects to their departed friend. The remains were taken to Morristown in the afternoon train for interment."

III. (18) **GOUVERNEUR MATHER SMITH ^{3} (Henrietta Margaret Beare Smith ^{2}, Henry Martin Beare ^{1})**

Son of Dr. Joseph M. and Henrietta Margaret (Beare) Smith.

b. 1832.

d. December 8th, 1898, unmarried.

III. (19) **JOSEPHINE MATHER SMITH ^{3} (Henrietta Margaret Beare Smith ^{2}, Henry Martin Beare ^{1})**

Daughter of Dr. Joseph M. and Henrietta Margaret (Beare) Smith.

b. 1836.

d. April 28th, 1897, unmarried.

III. (20) **LEWIS BAYARD SMITH ^{3} (Henrietta Margaret Beare Smith ^{2}, Henry Martin Beare ^{1})**

Son of Dr. Joseph M. and Henrietta Margaret (Beare) Smith.

b. August 16th, 1839.

d. April 19th, 1916.

m. April 12th, 1871, Louisa Norwood, daughter of Carlisle Norwood. She was b. September 17th, 1848; d. April 17th, 1920.

They had issue:

IV. (48) 1. Louisa Norwood Smith
b. February 3rd, 1872.

IV. (49) 2. Bayard Marston Smith
b. February 17th, 1877.

III. (21) **EMILY MEIER SMITH [3] (Henrietta Margaret Beare Smith [2], Henry Martin Beare [1])**

Daughter of Dr. Joseph M. and Henrietta Margaret (Beare) Smith.

b. 1841.

d. December 1901, unmarried.

She made copies of the manuscript of Captain Beare.

III. (22) **HENRY ERSKINE SMITH [3] (Henrietta Margaret Beare Smith [2], Henry Martin Beare [1])**

Son of Dr. Joseph M. and Henrietta Margaret (Beare) Smith.

b. 1842.

d. March 8th, 1932.

III. (23) **THOMAS MARSTON BEARE [3] (Thomas Marston Beare [2], Henry Martin Beare [1])**

Son of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. March 30th, 1831, in New York City.

bp. May, 1831, Trinity Church Records.

d. April 12th, 1853, unmarried. Buried in the Beare vault at Greenwood Cemetery. There are two portraits of him, one in the writer's possession, and another in the possession of William Marston Seabury, Esq.

III. (24) **CHARLOTTE BEARE [3] (Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. Sept. 5th, 1835, in New York City.

d. May 18th, 1882, unmarried. Buried in the Beare vault at Greenwood Cemetery. She left a will which was probated in New York County.

III. (25) **ISABEL BEARE [3] (Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. May 6th, 1836, in New York City.

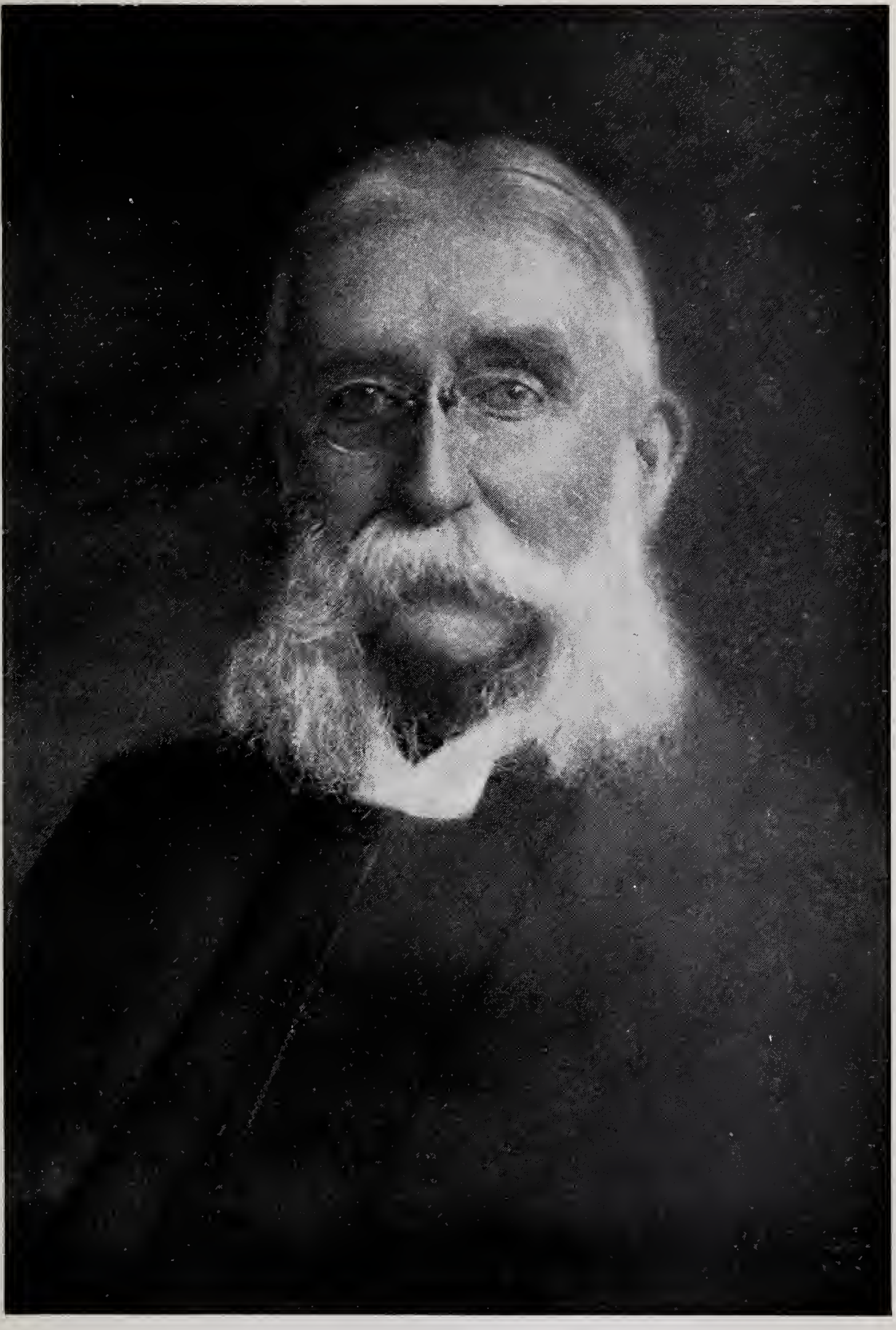
d. April 7th, 1864, in New York City.

m. November 22nd, 1855, George Benjamin Mickle of Bayside, Long Island, son of Andrew Hutchins and Caroline Augusta (Miller) Mickle. He was born April 29th, 1830. He died Aug. 9th, 1890. Isabel Beare was married at Zion Church, Douglaston, Long Island, by her uncle, Rev. Henry M. Beare. Mr. Mickle married second Elizabeth (surname unknown to the writer), by whom he left no issue.

They had issue:

IV. (50) 1. Andrew Hutchins Mickle
b. October 5th, 1856, at Bayside, Long Island.

IV. (51) 2. George Benjamin Mickle
b. October 3rd, 1863, at Bayside, Long Island.



REV. WILLIAM JONES SEABURY, D.D.
(1837-1916)

III. (26) **JAMES JOHNSTON BEARE** ^{3} **(Thomas Marston Beare** ^{2}**, Henry Martin Beare** ^{1}**)**

Son of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. January 31st, 1838, in New York City.

d. May 26th, 1858, unmarried.

Buried in the Beare vault at Greenwood Cemetery.

III. (29) **ALICE VAN WYCK BEARE** ^{3} **(Thomas Marston Beare** ^{2}**, Henry Martin Beare** ^{1}**)**

Daughter of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. June 1st, 1843, in New York City. She was baptized August 25, 1843, at Zion Church, Little Neck, Long Island, by her uncle, Rev. Henry M. Beare. The record of her baptism contains the erroneous entry that she was born "May", 1843. The correct date is June 1st, 1843. The date of her birth as given on her tombstone is incorrect.

d. February 24th, 1904, in New York City. She is buried in Trinity Cemetery, New York City.

m. October 29th, 1868, Rev. William Jones Seabury, D. D., son of Rev. Samuel Seabury, D. D., and Hannah Amelia (Jones) Seabury. He was born in New York City January 25th, 1837. He died August 30th, 1916, at East Hampton, Long Island, and is buried in Trinity Cemetery, New York City.

They had issue:

IV. (52) 1. Susan Saltonstall Seabury
b. December 21st, 1869, at New York City.

IV. (53) 2. Samuel Seabury
b. February 22nd, 1873, at New York City.

IV. (54) 3. Lydia Winthrop Seabury
b. April 11th, 1874, at New York City.

IV. (55) 4. Muriel Gurdon Seabury
b. November 3rd, 1875, at New York City.

IV. (56) 5. William Marston Seabury
b. March 18th, 1878, at New York City.

William Jones Seabury was born at 471 Hudson Street, New York City, January 25th, 1837; graduated B. A. at Columbia College 1856 and was M. A. of the same 1859. Member of the Peithologian Society and of the fraternity of Delta Psi (1852, Alpha Chapter). D. D. Hobart College 1874, Ad Eundum, General Theological Seminary 1885. Admitted to New York Bar 1858 and engaged in practice in New York City. Entered General Theological Seminary 1864, graduated 1866, ordained Deacon and Priest by Bishop Potter of New York 1866; Rector of the Church of the Annunciation, New York City, 1868-1898. Professor of Ecclesiastical Polity and Law in the General Theological Seminary from 1873 until his death in 1916. He was the author of several published works, among them: "Manual for Choristers", 1878; "Lectures on Apostolic Succession", 1893; "Introduction to the Study of Ecclesiastical Polity", 1894; "Notes on the Constitution of 1901 (of the Protestant Episcopal Church), 1902; "Memoir of Bishop Seabury", 1908; edited "Sermons and other Papers of Rev. Samuel Seabury, D. D.", 1874. Dr. Seabury died at the home of his son Samuel at East Hampton, Long Island, August 30th, 1916.

III. (30) **JANE JOHNSTON BEARE [3] (Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. May 26th, 1848, at New York City.

ALICE VAN WYCK (BEARE) SEABURY

(1843-1904)

From a portrait in the possession of Samuel Seabury

m. April 23rd, 1873, Howard Phelps, son of George Alexander and Eliza (Ayres) Phelps. She was married by her uncle, Rev. Henry M. Beare, at Trinity Chapel, New York City. Mr. Phelps was born at Fairfield, Connecticut, September 6th, 1849.

They had issue:

IV. (57) 1. Mabel Marston Phelps
b. May 12th, 1876, at New York City.

IV. (58) 2. Howard Johnston Phelps
b. June 26th, 1886, at Newton, Mass.

Mr. Phelps was a member of the firm of Phelps Brothers & Company, No. 1 Broadway, New York City. As to his ancestry, see "The Phelps Family of America and their English Ancestors . . . compiled by Judge Oliver Seymour Phelps of Portland, Ore., and Andrew T. Servin of Lenox, Mass." In 2 vols., published by Eagle Publishing Co. of Pittsfield, Mass., in 1899.

III. (31) **LOUISA DE LAGNEL BEARE [3] (Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Thomas Marston and Mary Susan (Saltonstall) Beare.

b. June 17th, 1850, at New York City.

m. November 21st, 1871, Rudolph Douw Townsend, son of John F. and Katherine L. (Douw) Townsend of Albany, New York. He was born April 8th, 1849; died December 21st, 1909. She was married by her uncle, Rev. Henry M. Beare, at the Church of the Annunciation, New York.

They had issue:

IV. (59) 1. Isabel Douw Townsend
b. April 7th, 1874, at New York City.

IV. (60) 2. Livingston Van Rensselaer Townsend
b. May 3rd, 1892, at New York City.

(See Register of Zion Church, Douglaston, Long Island, also Register of the Church of the Annunciation, New York City, on file with the Diocesan Records in New York City.)

III. (32) **CHARLOTTE GROSVENOR BEARE [3] (Henry Martin Beare [2], Henry Martin Beare [1])**

Daughter of Henry Martin and Charlotte Elizabeth (Grosvenor) Beare.

b. October 24, 1844, at Little Neck, Long Island.

d. February 24th, 1923.

m. June 29th, 1871, at Douglaston, Long Island, Edward Livingston Trudeau, M. D. He was the son of James and Cephise (Berger) Trudeau. He was born October 5th, 1848; he died November 15th, 1915. She was confirmed by Bishop Horatio Potter at Zion Church, Douglaston, Long Island, July 1st, 1858.

They had issue:

IV. (61) 1. Charlotte Beare Trudeau
b. April 23rd, 1872, at Douglaston, L. I.

IV. (62) 2. Edward Livingston Trudeau
b. May 18th, 1873, at Douglaston, L. I.

IV. (63) 3. Henry Beare Trudeau
b. May 13th, 1876, at Douglaston, L. I.

IV. (64) 4. Francis Berger Trudeau
b. January 2, 1887.

III. (33) **MATILDA C. BEARE [3] (Henry Martin Beare [2], Henry Martin Beare [1])**

Daughter of Henry Martin and Charlotte Elizabeth (Grosvenor) Beare.

b. At Little Neck, Long Island. She was confirmed by Bishop Horatio Potter at Zion Church, Douglaston, Long Island, July 7th, 1861.

d. January 24th, 1853 (or 1863?). Unmarried.

Calvary Church, Sioux Falls, Dakota, was erected in memory of Matilda C. Beare.

III. (34) **WILLIAM CHANDLER CASEY [3] (Cornelia Matilda Casey [2], Henry Martin Beare [1])**

Son of Dr. William Bryan and Cornelia Matilda (Beare) Casey.

b. September 28th, 1838, at New York City.

bp. April, 1839, by Rev. Dr. Hawks in St. Thomas' Church, New York City.

d. March 2nd, 1905, at Katonah, N. Y. Buried at Middletown, Conn. A number of the members of the New York 7th Regiment were present at his interment and fired three volleys over his grave.

m. First, May 5th, 1881, Louise Martine, aged 23 at her marriage—See Vol. II, p. 596, Trinity Church, N. Y., Marriage Record.
They were divorced.

m. Secondly, July 14th, 1885, Florence McD. Woodcock, at Sing Sing, N. Y. She married second Frank Hunter Potter, brother of Bishop Potter.

In Col. Emmons Clark's History of the Seventh Regiment of New York, 1806-1889, is the following account of Captain Casey (Vol. II, p. 373), with his picture:

"Captain William C. Casey enlisted in the Eighth Company in 1861 and served with the Seventh Regiment in its campaigns at Baltimore and Frederick, Md. in 1862 and 1863. He was elected first sergeant in 1863, second lieutenant in 1864, first lieutenant in 1868 and was chosen captain of the Eighth Company in 1873. Under his able administration that Company rapidly increased in numerical strength and improved in drill and discipline, until it was as perfect and complete in every particular as is possible in the volunteer military service, and had obtained a reputation second to none in the country. His enthusiasm and devotion to duty inspired his subordinates and his industry and energy won their co-operation and generous support. No detail of drill, however trivial, was overlooked; the slightest errors were corrected; inattention was not tolerated; in a few words each movement was clearly explained and was then carefully executed; and thus Captain Casey led his recruits and his company step by step toward perfection, and inspired and merited fame as a military instructor not surpassed by Shumway or Shaler. He also possessed a remarkable faculty of securing the personal attachment of his officers and men and he thoroughly understood the importance of friendship and affection of subordinates in securing great results in the drill and discipline as well as the harmony and prosperity of a military organization. Captain Casey was born in New York in 1838, and was educated at Middletown, Connecticut. He became a clerk in New York in 1857, and, after various vicissitudes of fortune, achieved success in the storage business. In person he was tall, erect and graceful, with a handsome and intelligent face and easy and captivating manners. He was a delightful companion, a steadfast friend and an accomplished gentleman; and as an able, devoted and successful officer, he must always rank among the most distinguished of the Seventh Regiment.''

III. (35) **CLARA ALSOP CASEY [3] (Cornelia Matilda Casey [2], Henry Martin Beare [1])**

Daughter of Dr. William Bryan and Cornelia Matilda (Beare) Casey.

b. June 16th, 1840, at Middletown, Conn.

bp. December 25th, 1841, by Rev. Dr. Jarvis at her parents' home.

d. November 20th, 1909, at New York City.

m. First, August 25th, 1859, Samuel Wadsworth Russell at Middletown, Conn. He was born August 25th, 1838, at Middletown, and was the son of Samuel and Frances Ann (Osborne) Russell. He died September 17th, 1868, at Middletown.

m. Second, Oct. 2nd, 1872, at Middletown, Conn., by Rt. Rev. Bishop Williams of Conn., to Charles Graham Bacon. He died May 27th, 1912. He was an Adjutant of the 7th Regiment.

Col. Clark, in his "History of the Seventh Regiment" (Vol. II, p. 308) notes that Mr. Bacon resigned as Adjutant in May, 1881, and adds:

> "Adjutant Bacon was a thorough soldier of handsome presence, and he performed the important duties of his office with great care and accuracy, and to the entire satisfaction of the Regiment."

Issue by first husband.

IV. (65) 1. William Wadsworth Russell
b. July 27th, 1860.

IV. (66) 2. Mary Alice Russell
b. February 23rd, 1862.

IV. (67) 3. Cornelia Augusta Russell
b. June 9th, 1866, Middletown, Conn.

Issue by second husband.

IV. (68) 1. Charles Graham Bacon

IV. (69) 2. Marshal Chandler Bacon

b. November 11th, 1876, at Tarrytown-on-Hudson, N. Y.

III. (37) **JAMES HARMER CASEY**[3] **(Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Son of Dr. William Bryan and Cornelia Matilda (Beare) Casey.

b. July 21st, 1843, at Middletown, Conn.

bp. September 13th, 1843, at Middletown, Conn., by Rev. Dr. Jarvis at Christ Church, Middletown, Conn.
He was a physician.

d. October 4th, 1912, at Liberty, Mo. Buried at Middletown, Conn.

m. September 15th, 1868 to Grace E. Street, by Rev. Mr. Shannon, East Haven, Conn.

III. (40) **LUCY ALSOP CASEY**[3] **(Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Daughter of Dr. William Bryan and Cornelia Matilda (Beare) Casey.

b. November 8th, 1849, at Middletown, Conn.

bp. March 3rd, 1850, by Rev. F. G. Goodwin at the home of her parents.

m. March 20th, 1870, to Rev. James Potts Lytton, who was born in Franklin, Louisiana. They were married by Rev. Walter Mitchell, Middletown, Conn.

They had issue:

IV. (70) 1. Edward Wentworth Lytton
b. November 13th, 1872.

IV. (71) 2. Margaret Casey Lytton
b. December 14th, 1872, Grenada, Miss.

IV. (72) 3. Mary Lanston Lytton
b. December 25th, 1875, Clifton Springs, N. Y.

IV. (73) 4. William Bryan Lytton
b. December 3rd, 1881, Highland Park, Ill.

IV. (74) 5. Clara Russell Lytton
b. August 12th, 1879, Chicago, Ill.

IV. (75) 6. Arthur Sedgwick Lytton
b. November 13th, 1886, St. Louis, Mo.

IV. (76) 7. Infant died at birth.

III. (41) **CORNELIA MATILDA CASEY^3 (Cornelia Matilda Casey^2, Henry Martin Beare^1)**

Daughter of Dr. William Bryan and Cornelia Matilda (Beare) Casey.

b. March 3rd, 1852, at Middletown, Conn.

bp. March 30th, 1852, by Rev. Dr. Goodwin.

d. January 2nd, 1933, at Pasadena, California, buried at Middletown, Conn.

m. October 2nd, 1871, to Rev. Stephen H. Green, youngest son of Rt. Rev. William Mercer Greene, first Bishop of Mississippi. They were married at St. Luke's Chapel, Middletown, Conn., by Rt. Rev. John Williams and Rt. Rev. Wm. Greene. Stephen H. Green was born October 28th, 1850, Chapel Hill, N. C. He died 25th July, 1919, at Scarsdale, New York.

He dropped the final "e" from his surname.

They had issue:

IV. (77) 1. Herbert Dyson Green
b. June 1st, 1872, Grenada, Miss.

IV. (78) 2. An infant
b. February 24th, 1874.
d. At birth.

IV. (79) 3. Susan Dyson Green
b. April 11th, 1875, Grenada, Miss.
d. October 21st, 1880, Sewanee, Tenn.

IV. (80) 4. Berkeley St. John Green
b. September 21st, 1876, Grenada, Miss.

IV. (81) 5. Charlotte Fleming Green
b. October 4th, 1879, Dallas, Texas.

IV. (82) 6. Faith Chandler Green
b. January 28th, 1883, Elgin, Ill.

IV. (83) 7. Mary Cornelia Green
b. February 2nd, 1887, St. Louis, Mo.

IV. (84) 8. Stephen William Green
b. November 19th, 1889, St. Louis, Mo.

IV. (85) 9. Ruth Dyson Green
b. July 20th, 1891, St. Louis, Mo.

IV. (42) **LEILA BEARE [4] (William Seaman Beare [3] William Henry Beare [2] Henry Martin Beare [1])**

Daughter of William Seaman and Eliza Jane (Stephens) Beare.

b. November 5th, 1862, at Washington, D. C.

m. November 28th, 1888, in Washington, D. C., Emilio Miguel de Zarauz y Avendano, son of Tomas de Zarauz y Gargolla and Emilia de Avendano y Landeral, his wife. He was born May 11th, 1853, in Laredo, Spain, and died June 15th, 1909, in New York City.

IV. (43) **EFFIE BEARE ⁴ (William Seaman Beare ³, William Henry Beare ², Henry Martin Beare ¹)**

Daughter of William Seaman and Eliza Jane (Stephens) Beare.

b. April 18th, 1865, at Washington, D. C.

m. October 28th, 1891, at New York City, Lawrence Hobart Shearman, son of William Pitt and Mary (James) Shearman. He was born January 21st, 1866, in Washington, D. C.

They had issue:

V. (86) 1. Hobart Willett Shearman
b. January 31st, 1893, at Yonkers, New York.

d. May 13th, 1902, at sea off the coast of Peru, S. A.

V. (87) 2. Elise Shearman
b. December 29th, 1894, at Brooklyn, New York.

IV. (44) **FRANKLIN VOORHEES ⁴ (Julia Maria Voorhees ³, William Henry Beare ², Henry Martin Beare ¹)**

Son of Valentine Hall and Julia Maria (Beare) Voorhees.

b. September 25th, 1867, Brooklyn, New York.

d. September 22nd, 1890, Saratoga, New York.

m. October 16th, 1889, Rose Collins, daughter of Thaddeus and Emma Temperance (Conklin) Collins.
She married second Francis A. Collins.

IV. (45) **JULIA TREDWELL BEARE [4] (Charles Philip Beare [3], William Henry Beare [2], Henry Martin Beare [1])**

Daughter of Charles Philip and Cornelia Roxanna (Tredwell) Beare.

b. August 31st, 1871, Staten Island, New York.

m. Rev. Dr. William T. Wilcox, son of George and Lucy Wilcox. He was born May 26th, 1867, at Cincinnati, Ohio.

IV. (46) **CORNELIA BEARE [4] (Charles Philip Beare [3], William Henry Beare [2], Henry Martin Beare [1])**

Daughter of Charles Philip and Cornelia Roxanna (Tredwell) Beare.

b. At South Orange, N. J.

IV. (48) **LOUISA NORWOOD SMITH [4] (Lewis Bayard Smith [3], Henrietta Margaret Beare Smith [2], Henry Martin Beare [1])**

Daughter of Lewis Bayard and Louisa (Norwood) Smith.

b. February 3rd, 1872.

m. April 17th, 1895, to Samuel Verplanck Hoffman. He was the son of Rev. Eugene Augustus Hoffman, D. D., and

Margaret (Elmendorf) Hoffman.
He was born May 12th, 1866.

They had issue:

V. (88) 1. Louisa Verplanck Hoffman
b. May 5th, 1896.

V. (89) 2. Margaret Elmendorf Hoffman
b. April 5th, 1899.

V. (90) 3. Eugene Augustus Hoffman
b. June 5th, 1902.

IV. (49) **BAYARD MARSTON SMITH ^{4} (Lewis Bayard Smith ^{3}, Henrietta Margaret Beare Smith ^{2}, Henry Martin Beare ^{1})**

Son of Lewis Bayard and Louisa (Norwood) Smith.

b. February 17th, 1877.

m. December 16th, 1914, Elsie Rutgers Knickerbocker, daughter of David Mulford and Helen (Lawrence) Knickerbocker. She was born September 17th, 1875.

IV. (50) **ANDREW HUTCHINS MICKLE ^{4}, (Isabel Beare Mickle ^{3}, Thomas Marston Beare ^{2}, Henry Martin Beare ^{1})**

Son of George Benjamin and Isabel (Beare) Mickle.

b. October 5th, 1856, at Bay Lawn, Bayside, Long Island.

d. December 19th, 1931, at East Orange, New Jersey; buried in Greenwood Cemetery, Brooklyn, N. Y.

m. June 9th, 1892, at Berkeley Springs, West Virginia, Susan Summers Hunter, daughter of Dr. John Harrison and Sophie Forrest (Summers) Hunter.

In conformity with legal provisions, he assumed, by judicial decree, the name of Saltonstall with that of Mickle.

They had issue:

V. (91) 1. Sophie Forrest Mickle Saltonstall
b. August 14th, 1893, at Berkeley Springs, West Va.

V. (92) 2. Muriel Winthrop Mickle Saltonstall
b. August 12th, 1895, at Berkeley Springs, West Va.

IV. (51) **GEORGE BENJAMIN MICKLE 4, (Isabel Beare Mickle 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Son of George Benjamin and Isabel (Beare) Mickle.

b. October 3rd, 1863, at Bay Lawn, Bayside, Long Island.

d. April 25th, 1916, at Flushing, New York.

m. April 27th, 1907, Florence Gertrude Tindell of Fergus, Toronto, Canada.

IV. (52) **SUSAN SALTONSTALL SEABURY 4 (Alice Van Wyck Beare Seabury 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of Rev. William Jones and Alice Van Wyck (Beare) Seabury.

b. December 21st, 1869, at New York City.

bp. February 2nd, 1870.

m. June 16th, 1897, to Edmund Wallen Bill, M. D., son of Joseph Howland Bill, M. D. and Elinor Randolph (Wallen) Bill. He was born December 5th, 1864, at Astoria, Long Island. He died September 15th, 1932, at Larchmont, N. Y.

They had issue:

V. (93) 1. Eleanor Randolph Bill
b. March 13th, 1898, at New York City.

V. (94) 2. Katharine Seabury Bill
b. January 23rd, 1901, at New York City.

IV. (53) **SAMUEL SEABURY**⁴ **(Alice Van Wyck Beare Seabury**³**, Thomas Marston Beare**²**, Henry Martin Beare**¹**)**

Son of Rev. William Jones and Alice Van Wyck (Beare) Seabury.

b. February 22nd, 1873, at New York City.

m. June 6th, 1900, at New York City, Josephine Maud Richey, daughter of Rev. Thomas Richey, D. D., and Emma Cecelia (Bacot) Richey, born Jan. 22nd, 1878, at Faribault, Minnesota.

He was educated by his father and also attended Trinity School and later Wilson and Kellog School, in New York City. Graduated from New York Law School, LL.B., in 1893. Took a post graduate course in that institute, graduating in June, 1894. Admitted to the Bar of New York, March 16, 1894. Justice of the City Court of the City of New York, January 1, 1902-December 31, 1906; Justice of the Supreme Court, January 1, 1907-November, 1914; elected Associate Judge of the Court of Appeals of New York State in November, 1914; resigned as Associate Judge of the Court of Appeals in August, 1916, and was nominated by the Democratic Party as candidate for Governor in September, 1916.

In August, 1930, he was appointed Referee of the Appellate Division of the Supreme Court, First Judicial Department, to investigate the conditions in the Magistrates Courts in that Department. He was appointed Commissioner by Governor Roosevelt in 1931 to hear the charges filed against the District Attorney of New York County. Later in 1931 he was designated as Counsel to the Joint Legislative Committee to Investigate the Affairs of the City of New York.

He has received the following honorary degrees: Doctor of Humane Letters, Hobart College, 1931; Doctor of Laws, Colgate University, 1931; Washington & Jefferson College, 1932; Harvard University, 1932; University of Michigan, 1933; Muhlenberg College, 1933; Columbia University, 1933; University of Rochester, 1933; Princeton University, 1933; Rutgers University, 1934; Dartmouth College, 1934.

He is the author of "The Law and Practice of the City Court of the City of New York" (1907); "275 Years of East Hampton, New York—A Historical Sketch" (1926), as well as numerous opinions, pamphlets, articles and addresses.

Vice-President, New York County Lawyers' Association, 1924-1925; President, New York County Lawyers' Association, 1925-1927; Vice-President of the Association of the Bar of the City of New York, 1928-1929; Vice-President, New York State Bar Association, representing First Judicial District, 1930-1931; President, New York State Bar Association, 1932-1934; member of the American Bar Association, as well as the following clubs: Metropolitan, Manhattan, Harvard, Century Association, City; Bankers, Lawyers, Church, National Golf Links of America, Southampton, New York; Maidstone Club, East Hampton, New York.

IV. (54) **LYDIA WINTHROP SEABURY [4] (Alice Van Wyck Beare Seabury [3], Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Rev. William Jones and Alice Van Wyck (Beare) Seabury.

b. April 11th, 1874, at New York City.

m. September 28th, 1899, William Hutchinson Pynchon Oliver, born August 31st, 1871, at Annandale, New York, son of Rev. Andrew Oliver, D. D., and Adelaide (Imlay) Oliver.

He was admitted to the New York Bar, March Term, 1894.

They had issue:

V. (95) 1. Peter Oliver
b. January 1st, 1901, at Morristown, New Jersey.

V. (96) 2. Seabury Oliver
b. November 28th, 1904, at Morristown, New Jersey.

V. (97) 3. Andrew Oliver
b. March 14th, 1906, at Morristown, New Jersey.

V. (98) 4. Alice Oliver
b. December 6th, 1911, at Morristown, New Jersey.

IV. (55) **MURIEL GURDON SEABURY**[4] **(Alice Van Wyck Beare Seabury**[3]**, Thomas Marston Beare**[2]**, Henry Martin Beare**[1]**)**

Daughter of Rev. William Jones and Alice Van Wyck (Beare) Seabury.

b. November 3rd, 1875, at New York City.

d. December 17th, 1907. Buried in Trinity Cemetery, New York City.

m. June 11th, 1902, Rev. William Oscar Jarvis, son of Rev. William Oscar and Ellen (Douglass) Jarvis. He was born August 9th, 1865.

Mr. Jarvis married second Alice Sedgwick Fish.

IV. (56) **WILLIAM MARSTON SEABURY⁴ (Alice Van Wyck Beare Seabury³, Thomas Marston Beare², Henry Martin Beare¹)**

Son of Rev. William Jones and Alice Van Wyck (Beare) Seabury.

b. March 18th, 1878, at New York City.

m. November 10th, 1900, at St. John's Church, Portsmouth, New Hampshire, by Rev. Wm. J. Seabury, D. D., to Katharine Emerson Hovey, daughter of Rev. H. E. and Sarah Louise (Folsom) Hovey. She was born July 28th, 1877, in Brooklyn, N. Y.

They had issue:

V. (99) 1. Katharine Lispenard Seabury
b. April 1st, 1902, at White Plains, New York.

V. (100) 2. Etheldreda Winthrop Seabury
b. March 5th, 1904, at White Plains, New York.

V. (101) 3. Muriel Gurdon Seabury
b. May 3rd, 1910, at White Plains, New York.

His early education was at private schools and under tutors; LL. B. cum laude, New York Law School, 1898. Member of the Bar of the State of New York (1899), Arizona, (1910), California (1911) and Massachusetts (1918). Member of the Bar of the Supreme Court of the United States since 1904. Member of the Bar of the United States Circuit Court of Appeals in the Second Circuit (New York) the Third Circuit (Philadelphia) the Sixth Circuit (Cincinnati) the

Eight Circuit (St. Louis) and the Ninth Circuit (San Francisco) before each of which he has presented important cases. Practiced law in New York City from 1899 until 1910 when ill health required him to live in Arizona for some years. Practiced law in Arizona from 1910 to 1915. Resumed practice in New York City in 1915. Has written extensively on motion pictures, particularly in their relation to public welfare and their international and economic aspects. Awarded the decoration known as the University Palms and nominated Officier d'Academie by France in recognition of his writings on this subject. Author of "The Public and the Motion Picture Industry: Motion Picture Problems—The Cinema and the League of Nations." Member of St. Nicholas Society, New York; and the Century, Racquet & Tennis, and Down Town Clubs, New York City.

IV. (57) **MABEL MARSTON PHELPS [4] (Jane Johnston Phelps [3], Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Howard and Jane Johnston (Beare) Phelps.

b. May 12th, 1876, at New York City.

m. June 25th, 1924. William M. Lawton, son of Winborn and Ann Lucas (Maybank) Lawton. He was born Dec. 31st, 1860. He married first Mary Creecy.

IV. (58) **HOWARD JOHNSTON PHELPS [4] (Jane Johnston Phelps [3], Thomas Marston Beare [2], Henry Martin Beare [1])**

Son of Howard and Jane Johnston (Beare) Phelps.

b. June 26th, 1886, at Newton, Mass.

d. February 6th, 1920.

m. September 27th, 1912, Elizabeth White.

IV. (59) **ISABEL DOUW TOWNSEND 4 (Louise deLagnel Townsend 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of Rudolph Douw and Louisa deLagnel (Beare) Townsend.

b. April 7th, 1874, at New York City.

IV. (60) **LIVINGSTON VAN RENSSELAER TOWNSEND 4 (Louise deLagnel Townsend 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Son of Rudolph Douw and Louisa deLagnel (Beare) Townsend.

b. May 3rd, 1892, at New York City.

d. August 22nd, 1917, at New York City.

IV. (61) **CHARLOTTE BEARE TRUDEAU 4 (Charlotte Grosvenor Beare Trudeau 3, Henry Martin Beare 2, Henry Martin Beare 1)**

Daughter of Dr. Edward Livingston and Charlotte Grosvenor (Beare) Trudeau.

b. April 23rd, 1872, at Douglaston, Long Island.

d. March 20th, 1893; buried St. John's-in-the-Wilderness.
Confirmed by Bishop Potter, July 1st, 1885.
Zion Church records, Douglaston, L. I.

IV. (62) **EDWARD LIVINGSTON TRUDEAU 4 (Charlotte Grosvenor Beare Trudeau 3, Henry Martin Beare 2, Henry Martin Beare 1)**

Son of Dr. Edward Livingston and Charlotte Grosvenor (Beare) Trudeau.

b. May 18th, 1873, at Douglaston, Long Island.

d. May 3rd, 1904.

m. Hazel Martyn, daughter of E. J. Martin of Chicago.

IV. (63) **HENRY BEARE TRUDEAU ⁴ (Charlotte Grosvenor Beare Trudeau ³, Henry Martin Beare ², Henry Martin Beare ¹)**

Son of Dr. Edward Livingston and Charlotte Grosvenor (Beare) Trudeau.

b. May 13th, 1876, at Douglaston, Long Island.

d. January, 1877.

IV. (64) **FRANCIS BERGER TRUDEAU ⁴ (Charlotte Grosvenor Beare Trudeau ³, Henry Martin Beare ², Henry Martin Beare ¹)**

Son of Dr. Edward Livingston and Charlotte Grosvenor (Beare) Trudeau.

b. January 2nd, 1887.

m. July 7th, 1914, at St. John's-in-the-Wilderness, Eleanor Helen Garretson, daughter of Abram Q. Garretson of Morristown, N. J. She was b. July 19th, 1889.

They had issue:

V. (102) 1. Edward Livingston Trudeau, 2nd.
b. April 25th, 1915.
bp. July 25th, 1915, at St. John's-in-the-Wilderness.

V. (102A) 2. Francis Berger Trudeau.
b. July 21st, 1918.

IV. (65) **WILLIAM WADSWORTH RUSSELL ⁴ (Clara Alsop Casey Russell ³, Cornelia Matilda Casey ², Henry Martin Beare ¹)**

Son of William Wadsworth and Clara Alsop (Casey) Russell.

b. July 27th, 1860.

d. July 8th, 1887, at Henley-on-Thames, England.

m. April 24th, 1884, Louise Dumaresque Blake. She was born April 19th, 1862, and was the daughter of John Ellis Blake, M. D., and Elizabeth (Gray) Blake. After his death she remarried.

They had issue:

V. (103) 1. William Wadsworth Russell
d. In infancy.

IV. (66) **MARY ALICE RUSSELL [4] (Clara Alsop Casey Russell [3], Cornelia Matilda Casey [2], Henry Martin Beare [1])**

Daughter of William Wadsworth and Clara Alsop (Casey) Russell.

b. February 23rd, 1862, at Middletown, Conn.

m. November 10th, 1887, at New York City, Frederic Elliott Lewis. He was the son of George Lewis, Jr., and Mary (Taylor) Lewis.
He was born May 30th, 1859. He died February 26th, 1919.

They had issue:

V. (104) 1. Wadsworth Russell Lewis
b. September 6th, 1889, at Tarrytown-on-Hudson, N. Y.

V. (105) 2. Frederic Chandler Lewis
b. February 3rd, 1891.

d. March 2nd, 1892.

V. (106) 3. Reginald Minturn Lewis
b. November 3rd, 1895, at New York City.

IV. (67) **CORNELIA AUGUSTA RUSSELL**[4] **(Clara Alsop Casey Russell**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Daughter of William Wadsworth and Clara Alsop (Casey) Russell.

b. June 9th, 1866, at Middletown, Conn.

m. April 25th, 1889, James Henry Townsend Green of London. He was born April 20th, 1860, and was the son of James and Alice (Potter) Green.

They had issue:

V. (107) 1. Henry Russell Townsend Green
b. January 31st, 1890, London.

V. (108) 2. Samuel Leroy Townsend Green
b. March 26th, 1893, London.

V. (109) 3. Arthur Townsend Green
b. August 12th, 1897, London.
(Mrs. Townsend Green residing (1929) at 11, Durham Villas, Kensington, W. 8, London, England.)

IV. (68) **CHARLES GRAHAM BACON**[4] **(Clara Alsop Casey Bacon**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Son of Charles Graham and Clara A. (Casey) Bacon.

m. April 24, 1895, Edith Blanche, daughter of William H. Payne.

IV. (69) **MARSHAL CHANDLER BACON**[4] **(Clara Alsop Casey Bacon**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Son of Charles Graham and Clara A. (Casey) Bacon.

b. November 11th, 1876, at Tarrytown-on-Hudson, New York.

m. April 6th, 1904, Frances Cunningham Lex of Philadelphia, Pa. She was the daughter of Charles Edwin Lex and Susan Nickerson (Cunningham) Lex. She was born July 23rd, 1881; died September 17th, 1935, at Greenwich, Conn.

He is a member of the New York Bar.

They had issue:

V. (110) 1. Marshal Chandler Bacon
b. February 15th, 1907.

V. (111) 2. Edwin Lex Bacon
b. February 14th, 1911.

IV. (70) **EDWARD WENTWORTH LYTTON ^{4} (Lucy Alsop Lytton ^{3}, Cornelia Matilda Casey ^{2}, Henry Martin Beare ^{1})**

Son of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. November 13th, 1872.

d. July 30th, 1889.

IV. (71) **MARGARET CASEY LYTTON ^{4} (Lucy Alsop Lytton ^{3}, Cornelia Matilda Casey ^{2}, Henry Martin Beare ^{1})**

Daughter of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. December 14th, 1872, Grenada, Mississippi.

m. October 12th, 1897, William Samuel Scott, son of Hugh and Anne (Clarkson) Scott, of Fredericksburg, Va. He was born December 13th, 1863.

They had issue:

V. (112) 1. Marjorie Scott
b. July 7th, 1898, St. Louis, Mo.

V. (113) 2. Henry Clarkson Scott
b. November 26th, 1900, St. Louis, Mo.

V. (114) 3. Samuel Lytton Scott
b. August 3rd, 1902, St. Louis, Mo.

IV. (72) **MARY LANSTON LYTTON** [4] **(Lucy Alsop Lytton** [3]**, Cornelia Matilda Casey** [2]**, Henry Martin Beare** [1]**)**

Daughter of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. December 25th, 1875, at Clifton Springs, New York.

m. October 2nd, 1897, in St. Louis, Mo., John Malcolm Hart, son of William Henry and Martha (Waller) Hart.
He was born January 5th, 1873, in Spottslyvania County, Virginia.

They had issue:

V. (115) 1. Lucy Lytton Hart
b. December 17th, 1899, in St. Louis, Mo.

V. (116) 2. John Lanston Hart
b. August 12th, 1907, in Evanston, Illinois.

IV. (73) **WILLIAM BRYAN LYTTON** [4] **(Lucy Alsop Lytton** [3]**, Cornelia Matilda Casey** [2]**, Henry Martin Beare** [1]**)**

Son of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. December 3rd, 1881, Highland Park, Ill.

m. June 21st, 1906, Oliver Mary Rogers, daughter of James Turnbal and Mary Carney Rogers. She was born March 21st, 1885, in St. Louis, Mo.

They had issue:

V. (117) 1. William Bryan Lytton
b. November 26th, 1907, St. Louis, Mo.

IV. (74) **CLARA RUSSELL LYTTON**[4] **(Lucy Alsop Lytton**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Daughter of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. August 12th, 1879, at Chicago, Ill.

m. October 6th, 1919, in Chicago, Ill., Gwin Chandler Harris.

They had issue:

V. (118) 1. Lucy Jean Lytton Harris
b. July 15th, 1921, New York City.

IV. (75) **ARTHUR SEDGWICK LYTTON**[4] **(Lucy Alsop Lytton**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Son of Rev. James Potts and Lucy Alsop (Casey) Lytton.

b. November 13th, 1886, St. Louis, Mo.

m. November 6th, 1915, Hazel Nina Jones, daughter of Charles Dennis and Anna (Henkle) Jones. She was born March 13th, 1890, in Chicago, Illinois.
They adopted a child, born June 20th, 1923, Chicago, Illinois, and named her Lucy Ann Lytton.

IV. (77) **HERBERT DYSON GREEN**[4] **(Cornelia Matilda Green**[3]**, Cornelia Matilda Casey**[2]**, Henry Martin Beare**[1]**)**

Son of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. June 1st, 1872, Grenada, Mississippi.

m. October 4th, 1909, Mrs. Mary Raines (Pennington) Powell, a widow with one child, Frederick E. Powell, born March 23rd, 1899, Silver City, New Mexico. She is a daughter of Edward and Mollie (Walker) Pennington. She was born February 23rd, 1875, at Fort Smith, Arkansas.
Treasurer, Luna County, New Mexico, 1929.

They had issue:

V. (119) 1. Mary Cornelia Green
b. July 17th, 1911, Deming, New Mexico.

IV. (80) **BERKELEY ST. JOHN GREEN[4] (Cornelia Matilda Green[3], Cornelia Matilda Casey[2], Henry Martin Beare[1])**

Son of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. September 21st, 1876, Grenada, Miss.

m. December 25th, 1901, Marie Talbot Rice.

They had issue:

V. (120) 1. Stephen Talbot Green

V. (121) 2. Frederick Dyson Green

IV. (81) **CHARLOTTE FLEMING GREEN[4] (Cornelia Matilda Green[3], Cornelia Matilda Casey[2], Henry Martin Beare[1])**

Daughter of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. October 4th, 1879, Dallas, Texas.

m. July 29th, 1905, at Seattle, Washington, Henry Heartt Wood, son of John Dongan and Mary (Heartt) Wood. He was born at Mount Holly, New Jersey; died August 9th, 1925, at New York City.

They had issue:

V. (122) 1. Margaret Gardner Wood
b. November 29th, 1908, Bar Harbor, Maine.

V. (123) 2. John Dongan Wood, 2nd
b. January 29th, 1915, Setauket, Long Island.

V. (124) 3. Henry Fleming Wood
b. October 11th, 1916, Scarsdale, New York.

IV. (82) **FAITH CHANDLER GREEN [4] (Cornelia Matilda Green [3], Cornelia Matilda Casey [2], Henry Martin Beare [1])**

Daughter of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. January 28th, 1883, Elgin, Ill.

IV. (83) **MARY CORNELIA GREEN [4] (Cornelia Matilda Green [3], Cornelia Matilda Casey [2], Henry Martin Beare [1])**

Daughter of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. Feb. 2nd, 1887, St. Louis, Mo.

IV. (84) **STEPHEN WILLIAM GREEN[4] (Cornelia Matilda Green[3], Cornelia Matilda Casey[2], Henry Martin Beare[1])**

Son of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.
b. November 19th, 1889, St. Louis, Mo.

m. July 22, 1919, at Nagasaki, Japan, Laura Ellen Miller, daughter of William Henry and Emily (Adams) Miller. She was born October 9, 1892, at Blowing Rock, North Carolina.

They had issue:

V. (125) 1. Stephen Henry Green
b. September, 1925, at Soochow, Kiangsu, China.

V. (126) 2. William James Green
b. August 4th, 1927, at Shanghai, Kiangsu, China.

V. (127) 3. John Benjamin Green
b. March 28th, 1929, Berkeley, California.

Stephen William Green received the degree of B. A. from Trinity College, Hartford, Connecticut, in 1910 and in 1929 was principal of a school in Changshu, Kiangsu, China. For fifteen years Mr. Green has been a missionary teacher in the Shanghai diocese of the Chung Hua Sheng Kung Hui (the church in China established through a combination of the two English Angelican missionary societies, the Canadian Anglican and the American Episcopal, and the Chinese Church). His wife, Laura Ellen Miller, went to China in 1917 as a missionary nurse to teach in St. Luke's Training School for Nurses and when Mr. Green was returning in 1919 from his first furlough she went to Nagasaki, Japan, to meet him and be married there.

IV. (85) **RUTH DYSON GREEN** ^{4} **(Cornelia Matilda Green** ^{3}**, Cornelia Matilda Casey** ^{2}**, Henry Martin Beare** ^{1}**)**

Daughter of Rev. Stephen Herbert and Cornelia Matilda (Casey) Green.

b. July 20th, 1891, St. Louis, Mo.

m. March 1st, 1924, at White Plains, New York, Edward Brevard Cantey, of South Carolina.

V. (88) **LOUISA VERPLANCK HOFFMAN** ^{5} **(Louisa Norwood Smith** ^{4}**, Lewis Bayard Smith** ^{3}**, Henrietta Margaret Beare Smith** ^{2}**, Henry Martin Beare** ^{1}**)**

Daughter of Samuel Verplanck and Louisa Norwood (Smith) Hoffman.

b. May 5th, 1896.

d. March 28th, 1912.

V. (89) **MARGARET ELMENDORF HOFFMAN** ^{5} **(Louisa Norwood Smith** ^{4}**, Lewis Bayard Smith** ^{3}**, Henrietta Margaret Beare Smith** ^{2}**, Henry Martin Beare** ^{1}**)**

Daughter of Samuel Verplanck and Louisa Norwood (Smith) Hoffman.

b. April 5th, 1899.

V. (90) **EUGENE AUGUSTUS HOFFMAN** ^{5} **(Louisa Norwood Smith** ^{4}**, Lewis Bayard Smith** ^{3}**, Henrietta Margaret Beare Smith** ^{2}**, Henry Martin Beare** ^{1}**)**

Son of Samuel Verplanck and Louisa Norwood (Smith) Hoffman.

b. January 5th, 1902.

m. May 23rd, 1929, at East Orange, New Jersey, Mrs. Marguerite Binns Harris, daughter of James Ewing and Jessie (McEachern) Binns.

V. (91) **SOPHIE FORREST MICKLE SALTONSTALL 5 (Andrew Hutchins Mickle Saltonstall 4, Isabel Beare Mickle 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of Andrew Hutchins and Susan Summers (Hunter) Mickle Saltonstall.

b. August 14th, 1893, at Berkeley Springs, West Va.

d. January 30th, 1917, at Hagerstown, Md.

m. June 28th, 1916, Lieutenant J. Clarence Lane 2nd, of Hagerstown, Maryland, son of Col. and Mrs. William Preston Lane.

He served overseas in the World War, in the A. E. F.

V. (92) **MURIEL WINTHROP MICKLE SALTONSTALL 5 (Andrew Hutchins Mickle Saltonstall 4, Isabel Beare Mickle 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of Andrew Hutchins and Susan Summers (Hunter) Mickle Saltonstall.

b. August 12th, 1895, at Berkeley Springs, West Va.

m. First, March 5th, 1918, Richard F. Johnson of Charlottesville, Virginia. He was the son of Mr. and Mrs. Edward Johnson. He was killed in action in the Argonne, France, October 5th, 1918.

m. Second, June 9th, 1921, at Berkeley Springs, W. Va., Arthur J. Grymes, Jr., of East Orange, New Jersey, the son of Arthur J. and Laura (Foreman) Grymes. He served overseas in World War, with the Twenty-third Regt. of Engineers, A. E. F.

Issue by second marriage:

VI. (128) 1. Muriel Saltonstall Grymes
b. March 26th, 1922.

VI. (129) 2. Arthur Johnson Grymes, 3rd
b. May 3rd, 1924.

VI. (130) 3. Susan Hunter Grymes
b. April 17th, 1927.

V. (93) **ELEANOR RANDOLPH BILL [5] (Susan Saltonstall Seabury Bill [4], Alice Van Wyck Beare Seabury [3], Thomas Marston Beare [2], Henry Martin Beare [1])**

Daughter of Dr. Edmund Wallen and Susan Saltonstall (Seabury) Bill.

b. March 13th, 1898, at New York City.

m. March 19th, 1927, James Howatson Harlow (called after his uncle, James Hoatson), son of William Page Harlow, M. D., and Jean (Hoatson) Harlow. He was born December 12th, 1903, at Boulder, Colorado.

They were divorced.

They had issue.

VI. (131) 1. Samuel Seabury Harlow
b. July 30, 1931, New York City.

V. (94) **KATHARINE SEABURY BILL**^{5} **(Susan Saltonstall Seabury Bill**^{4}**, Alice Van Wyck Beare Seabury**^{3}**, Thomas Marston Beare**^{2}**, Henry Martin Beare**^{1}**)**

Daughter of Dr. Edmund Wallen and Susan Saltonstall (Seabury) Bill.

b. January 23rd, 1901.

m. March 24th, 1922, at Christ Church, Tarrytown, New York, Preston Bacon, son of S. Seward and Nettie (Shaffer) Bacon. He was born November 25, 1895, in Washington, D. C.

They had issue:

VI. **(132)** 1. Suzanne Seabury Bacon
b. November 3rd, 1922, at Bronxville, New York.

VI. **(133)** 2. Barbara Winthrop Bacon
b. June 22nd, 1927, at Bronxville, N. Y.

V. (95) **PETER OLIVER**^{5} **(Lydia Winthrop Seabury Oliver**^{4}**, Alice Van Wyck Beare Seabury**^{3}**, Thomas Marston Beare**^{2}**, Henry Martin Beare**^{1}**)**

Son of William Hutchinson Pynchon and Lydia Winthrop (Seabury) Oliver.

b. January 1st, 1901, at Morristown, New Jersey.

bp. No. 12 Elm Street, Morristown, N. J., by his grandfather, Rev. William J. Seabury, D. D., ''By permission of the Rector of St. Peter's Church, record being then made in Parish register''.

m. October 25th, 1930, Katharine Eunice Starr, daughter of Moses Allen and Alice (Dunning) Starr. She was born in New York City, March 4th, 1904.

He is A. B. Harvard, 1922. Author of Saints of Chaos, New York, 1934.

They had issue:

VI. (134) 1. Starr Oliver
b. September 24th, 1931, at New York City.

VI. (135) 2. Prudence Oliver
b. May 23rd, 1933, at New York City.

VI. (136) 3. Peter Oliver
b. April 25th, 1936, at New York City.

V. (96) **SEABURY OLIVER ^{5} (Lydia Winthrop Seabury Oliver ^{4}, Alice Van Wyck Beare Seabury ^{3}, Thomas Marston Beare ^{2}, Henry Martin Beare ^{1})**

Son of William Hutchinson Pynchon and Lydia Winthrop (Seabury) Oliver.

b. November 28th, 1904, at Morristown, New Jersey.

bp. St. Peter's Church, Morristown, December 31st, 1904, by his grandfather, Rev. William J. Seabury, D. D.
He is A. B. Harvard, 1928, and M. B. A. Harvard, 1931.

m. June 24th, 1936, Nathalie Whitmore Whitall, daughter of John and Mabel (Henry) Whitall.

V. (97) **ANDREW OLIVER ^{5} (Lydia Winthrop Seabury Oliver ^{4}, Alice Van Wyck Beare Seabury ^{3}, Thomas Marston Beare ^{2}, Henry Martin Beare ^{1})**

Son of William Hutchinson Pynchon and Lydia Winthrop (Seabury) Oliver.

b. March 14th, 1906, at Morristown, New Jersey.

bp. St. Peter's Church, Morristown, April 29th, 1906, by his grandfather, Rev. William J. Seabury, D. D.

He is A. B. Harvard, 1928, and LL. B. Harvard, 1931. Admitted to New York Bar, 1933.

m. February 21st, 1936, at St. Mary's Church, Newton Lower Falls, Mass. Ruth Blake, daughter of Benjamin Sewall and Ruth (Field) Blake.

They had issue:

VI. **(137)** 1. Andrew Oliver

b. November 29th, 1936, at New York City.

bp. February 28th, 1937, Church of the Resurrection, New York City.

V. (98) **ALICE OLIVER 5 (Lydia Winthrop Seabury Oliver 4, Alice Van Wyck Beare Seabury 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of William Hutchinson Pynchon and Lydia Winthrop (Seabury) Oliver.

b. December 6th, 1911, at Morristown, New Jersey.

bp. January 21st, 1912, by her grandfather, Rev. William J. Seabury, D. D.
She was named for her Grandmother Seabury.
She is a graduate of the Institute of Musical Art of the Juillard School of Music, 1934.

V. (99) **KATHARINE LISPENARD SEABURY 5 (William Marston Seabury 4, Alice Van Wyck Beare Seabury 3, Thomas Marston Beare 2, Henry Martin Beare 1)**

Daughter of William Marston and Katharine Emerson (Hovey) Seabury.

b. April 1st, 1902, at White Plains, New York.

bp. August 10th, 1902, at St. John's Church, Portsmouth, N. H., by her grandfather, Rev. Henry Emerson Hovey.

m. May 12th, 1923, Edward S. Crocker, at the Church of the Incarnation, New York. He was born December 20th, 1896, Fitchburg, Mass. and was the son of Emmons and Marian (Hastings) Crocker.

They had issue:

VI. (138) 1. Lispenard Seabury Crocker
b. March 26th, 1924, New York City.

VI. (139) 2. Katharine Winthrop Crocker
b. April 21st, 1925, Neuilly-sur-Seine, France.

d. October 16th, 1925, Rome, Italy.

bur. Protestant Cemetery, Rome.

V. (100) **ETHELDREDA WINTHROP SEABURY ^{5} (William Marston Seabury ^{4}, Alice Van Wyck Beare Seabury ^{3}, Thomas Marston Beare ^{2}, Henry Martin Beare ^{1})**

Daughter of William Marston and Katharine Emerson (Hovey) Seabury.

b. March 5th, 1904, at White Plains, New York.

bp. Grace Church, White Plains, April 10th, 1904, by her grandfather, Rev. William J. Seabury, D. D.

m. September 15th, 1930, at St. John's Church, Portsmouth, N. H., Fergus Reid, Jr., son of Fergus and Mary Wilson (Chamberlaine) Reid. He was born November 29th, 1900. He is S. B. Yale, 1923.

They had issue:

VI. **(140)** 1. Fergus Reid, 3rd
b. Cambridge, Mass., August 12th, 1932.

VI. **(141)** 2. William Seabury Reid
b. New York City, January 21st, 1934.

VI. **(142)** 3. Winthrop Reid
b. New York City, November 13th, 1937.

V. (101) **MURIEL GURDON SEABURY^{5} (William Marston Seabury^{4}, Alice Van Wyck Beare Seabury^{3}, Thomas Marston Beare^{2}, Henry Martin Beare^{1})**

Daughter of William Marston and Katharine Emerson (Hovey) Seabury.

b. May 3rd, 1910, at White Plains, New York.

m. June 15th, 1929, at New York City, William White Howells, son of John Mead and Abby (White) Howells and grandson of William Dean Howells.
He is S. B. Harvard, 1930, A. M., 1931, Ph. D., 1934.

They had issue:

VI. **(143)** Muriel Gurdon Howells
b. December 30th, 1930, at Cambridge, Mass.

VI. **(144)** William Dean Howells
b. September 13th, 1932, at Cambridge, Mass.

V. (104) **WADSWORTH RUSSELL LEWIS^{5} (Mary Alice Lewis^{4}, Clara Alsop Russell^{3}, Cornelia Matilda Casey^{2}, Henry Martin Beare^{1})**

Son of Frederic Elliott and Mary Alice

b. September 6th, 1889, at Tarrytown-on-
(Russell) Lewis.
Hudson, N. Y.

V. (106) **REGINALD MINTURN LEWIS** ^{5} **(Mary Alice Lewis** ^{4}**, Clara Alsop Russell** ^{3}**, Cornelia Matilda Casey** ^{2}**, Henry Martin Beare** ^{1}**)**

Son of Frederic Elliott and Mary Alice (Russell) Lewis.

b. Nov. 3rd, 1895, at New York City.

m. First, Apr. 16th, 1917, Claire Bird, Daughter of Oliver W. and Clara (Gautier) Bird. She was born Feb. 24th, 1890. They were divorced.

m. Second, August 12th, 1925, Charlotte Potter, dau. of William C. and Carol (Morton) Potter. She was born August 6th, 1905.

m. Third, September 14th, 1937, Alice Vaux, daughter of Henry P. Vaux of Rosemont, Pa.

Issue by first wife:

VI. (145) 1. Frederic Elliott Lewis
b. Nov. 1st, 1919.

VI. (146) 2. Cynthia Bird Lewis
b. Feb. 25th, 1923.

VI. (147) 3. Robert Minturn Lewis
b. June 3rd, 1924.

V. (107) **HENRY RUSSELL TOWNSEND GREEN** ^{5} **(Cornelia Augusta Russell** ^{4}**, Clara A. Russell** ^{3}**, Cornelia Matilda Casey** ^{2}**, Henry Martin Beare** ^{1}**)**

Son of James Henry and Cornelia Augusta (Russell) Townsend Green.

b. January 31st, 1890, in London, England.

d. March 3rd, 1915, in action at Armentieres.

He was Captain in the Queen's Westminster Rifles.

A memorial tablet was erected to his memory in Indian Hill Cemetery, Middletown, Connecticut. The tablet was erected by his aunt, Mrs. F. E. Lewis. It is an effective combination of antique metal and marble by Charles R. Lamb, the artist architect. The tablet bears the following inscription:

"In Loving Memory of
Captain
Henry Russell Townsend Green
Queens Westminister Rifles
London England
Born January 31, 1890
Killed in Action in France
March 3, 1915
The Bravest Are the Tenderest
The Loving Are the Daring"

V. (108) **SAMUEL LEROY TOWNSEND GREEN** [5] **(Cornelia Augusta Russell** [4]**, Clara A. Russell** [3]**, Cornelia Matilda Casey** [2]**, Henry Martin Beare** [1]**)**

Son of James Henry and Cornelia Augusta (Russell) Townsend Green.

b. March 26th, 1893, in London, England.

m. February 19th, 1916, Audrey Iris Marcelle Eugenie Lion, daughter of John and Annie Louise (Applegate) Lion. She was born Jun. 29th, 1894. He is Captain of the Queen's Westminster Rifles.

They had issue:

VI. (148) 1. John Eric James Townsend Green
b. December 27th, 1919, London, England.

VI. (149) 2. Kenneth Aubrey Townsend Green
b. October 16th, 1923, at Gerrards Cross, Buckinghamshire, England.

V. (109) **ARTHUR TOWNSEND GREEN** [5] **(Cornelia Augusta Russell** [4]**, Clara A. Russell** [3]**, Cornelia Matilda Casey** [2]**, Henry Martin Beare** [1] **)**

Son of James Henry and Cornelia Augusta (Russell) Townsend Green.

b. August 12th, 1897, London, England.

m. February 5th, 1921, Enid Heather Verity, daughter of Ernest George and Enid May (Hill) Verity. She was born September 11th, 1897. He is Lieutenant Commander in the Royal Navy.

They had issue:

VI. (150) 1. Russel Townsend Green

b. November 29th, 1922, London, England.

V. (110) **MARSHAL CHANDLER BACON**^{5} **(Marshal Chandler Bacon**^{4}**, Clara Alsop Casey Bacon**^{3}**, Cornelia Matilda Casey**^{2}**, Henry Martin Beare**^{1}**)**

Son of Marshal Chandler and Frances Cunningham (Lex) Bacon.

b. February 15th, 1907, New York City, N. Y.

m. March 28th, 1928, Elizabeth R. Kristoff.

They had issue:

1. Martha Bacon

b. February 14th, 1938, New York City, N. Y.

V. (111) **EDWIN LEX BACON**^{5} **(Marshal Chandler Bacon**^{4}**, Clara Alsop Casey Bacon**^{3}**, Cornelia Matilda Casey**^{2}**, Henry Martin Beare**^{1}**)**

Son of Marshal Chandler and Frances Cunningham (Lex) Bacon.

b. February 14th, 1911.

m. September 10th, 1937, Barbara Wiley, daughter of Channing Price and Corinne (Howell) Wiley of Bernardsville, N. J.

V. (112) **MARJORIE SCOTT**^{5} **(Margaret Casey Lytton Scott,**^{4}**, Lucy Alsop Lytton**^{3}**, Cornelia Matilda Casey**^{2}**, Henry Martin Beare**^{1}**)**

Daughter of William Samuel and Margaret Casey (Lytton) Scott.

b. July 7th, 1898, St. Louis, Missouri.

m. December 20th, 1919, at St. Louis, Mo., William Seth Kenyon. Hartford, Conn., from whom she is divorced. He was born in Hartford, Conn.

They had issue:

VI. (151) 1. Samuel Scott Kenyon
b. April 17th, 1921, in Pasadena, California.

V. (113) **HENRY CLARKSON SCOTT[5] (Margaret Casey Lytton Scott[4], Lucy Alsop Lytton[3], Cornelia Matilda Casey[2], Henry Martin Beare[1])**

Son of William Samuel and Margaret Casey (Lytton) Scott.

b. November 26th, 1900, St. Louis, Mo.

m. July 5th, 1926, at East Hampton, Long Island, Michelle C. Bouvier, daughter of John Vernou and Maude F. (Sergeant) Bouvier, of New York City. She was born August 4th, 1905. He graduated from St. Paul's School, Concord, New Hampshire, and from Yale University in 1925.

They had issue:

VI. (152) 1. Henry Clarkson Scott, Jr.
b. November 30th, 1927, New York.

VI. (153) 2. Michelle Maude Scott
b. July 5th, 1929.

V. (114) **SAMUEL LYTTON SCOTT[5] (Margaret Casey Lytton Scott[4], Lucy Alsop Lytton[3], Cornelia Matilda Casey[2], Henry Martin Beare[1])**

Son of William Samuel and Margaret Casey (Lytton) Scott.

b. August 3rd, 1902, St. Louis, Mo. Graduated from St. Paul's School, Concord, New Hampshire, and from Yale University.

V. (115) **LUCY LYTTON HART ^{5} (Mary Lanston Lytton Hart ^{4}, Lucy Alsop Lytton ^{3}, Cornelia Matilda Casey ^{2}, Henry Martin Beare ^{1})**

Daughter of John Malcolm and Mary Lanston (Lytton) Hart.

b. December 17th, 1899, St. Louis, Mo.

m. Alfred Stanley Cayting, son of Charles A. and Nellie (Bailey) Cayting. He was born June 18th, 1898, Bangor, Maine.

They had issue:

VI. (154) 1. John Stanley Cayting
b. August 4th, 1925, Bangor, Maine.

V. (116) **JOHN LANSTON HART ^{5} (Mary Lanston Lytton Hart ^{4}, Lucy Alsop Lytton ^{3}, Cornelia Matilda Casey ^{2}, Henry Martin Beare ^{1})**

Son of John Malcolm and Mary Lanston (Lytton) Hart.

b. August 12th, 1907, in Evanston, Illinois.

APPENDIX.

Entry from Exeter Marriage Licenses.

1713/4. January 8. William Beare of Woolborough and Elizabeth Boone of the same, spinster.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1800.

Re: Beare Family.

Baptisms.

1714/5. January 2. Bapt: Eliz: fil: Gul: Beare.
1720/1. January 31. Bapt: Gulielmus fil: Gul: Beere.
1724/5. January 17. Johan: filius Guil: Bare.
1730. December 22do Baptizata fuit Elizabetha Bear uxor Guliel: Bear, Anabaptista.
1754. September 16. William son of M^r John Bear.
1756. May 3d was Christened John son of M^r John Beare.
1760. February 7th was Born Henry Martin son of John Beare and Flora his wife.
1762. October 12. Baptized Charles son of John and Flora Beare.
1765. May 12. Baptiz'd Elizabeth daughter of M^r John & M^{rs} Flora Beare.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1800.

Re: Beare Family.

Marriages.

1693. November 9. Nuptiae celeb: inter Francisiu Bere & Elizabetha Rundel.
1736/7. February 22. Edward Bear & Agnes Corner.
1737/8. January 8. William Gotham & Martha Beere.

1743. December 12. The Rev^{d}. M^{r} William Buckland and Elizabeth Daughter of M^{r} William Beare.
1745. August 21. Edward Beere, & Ruth Fornix.
1753. November 1st. was Married M^{r} John Beare and M^{rs} Mary Bovett.
1759. July 11. M^{r} John Beare & Flora Martyn.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1800.

Re: Beare Family.

Burials.

1741. July 13. Thomas Beare.
1742. May 15. Elizabeth the Wife of M^{r} W^{m} Beare.
1744/5. March 23. Agnes Beere.
1751/2. March 16. M^{r} William Beare (Written in capital letters).
1752. May 1st. Grace Beer.
1757. May 12. Mary wife of M^{r} John Bear. S.Pox.
1765. November 25. Elizabeth Daughter of M^{r} John & M^{rs} Flora Beare. Varidae.
1786. August 16. M^{rs} Flora Beare (aged) 55.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1800.

Re: Bovett Family.

Baptism.

1733. Nov^{r}. 21. Baptz Maria Filia Johannes Bovett.

Extracts from the Parish Registers of Wolborough, co. Devon. 1677 to 1698.

Re: Boon Family.

Baptisms.

1677. April 15. Elizabeth daughter of Roger Boon.
1677. October 19. Thomas son of Robert Boon.
1677/8. February 11. Sarah daughter of Mallachy Boon.
1678/9. March 5. Marryan daughter of Roger Boon.
1680. July 19. Grace daughter of Roger Boon.

1680. August 31. Robert son of Robert Boon.
1680. August — Elizabeth daughter of Mallachy Boon.
1681. November 29. Mary daughter of Roger son of Thomas Boon.
1682. October 5. Charity daughter of Robert Boon.
1682. April 10. Roger son of Roger Boond.
1682/3. January 30. John son of Malachie Boon.
1685. May 21. Catherine daughter of Malachie Boond.
1685. June 11. William son of Roger Boond.
1685. September 20. Mary daughter of Robert Boond.
1686. December 1. Samuel son of Roger Boond.
1687. December 27. Edward son of Malchia Boond.
1687/8. February 23. John son of Robert Boon.
1689. June 13. Thomas son of Roger Boon.
1690. July 7. Lucia daughter of Robert Boon.
1692/3. March 14. Peter son of Robert Boon.
1694. March 30. Thomas son of Robert Boon.
1697/8. March 18. John son of Robert Boon, born.
1698. August 17. Thomas son of Roger Boon, born.

Extracts from the Parish Registers of Wolborough, co. Devon. 1677 to 1714.

Re: Boon Family.

Burials.

1677. November 13. Hanah wife of Samuel Boon.
1679. May 26. Child of Roger Boon, junior.
1679. September 28. William son of Roger Boon.
1679. October 10. James son of Mallachy Boon.
1679. December 16. Thomas son of Robert Boon.
1680/1. January 20. Luce Boon, ye elder.
1682. May 18. Thomas Boond.
1684. October 20. Child of Robert Boond.
1687. September 10. Martha wife of Roger Boon.
1687. September 18. Child of Roger Boon.
1690. June 26. Katherine daughter of Mallachy Boon.
1690. November 15. Susanna Boon.
1690. December 9. Johanna Boon.
1692. December 9. Lucia daughter of Robert Boon.
1693/4. January 25. Maria Boon.

1694. May 22. Edward son of Malchie Boon.
1694. December 30. Sarah daughter of Malachie Boon.
1696/7. January 24. Child of Roger Boon.
1714. June 14. Robert Boon.

Extracts from the Parish Registers of Wolborough, co. Devon.
1681/2 to 1686.

RE: BOON FAMILY.

Marriages.

1681/2. January 24. Richard Coyle and Luce Boone.
1686. March John Clowter and Susanna Boon.

Exeter Marriage Licences.

RE: BOON FAMILY.

1680. December 6. Roger Boone of Newton Abbott and Martha Agincar? of the same.

Extract from the Parish Register of Wolborough, co. Devon.
1653 to 1800.

RE: BUCKLAND.

Burial.

1760. October 3. Was Buried The Reverend M^r Buckland Rector of This Parish.

Extracts from the Parish Register of Wolborough, co. Devon.
1653 to 1780.

RE: MARTIN FAMILY.

Baptisms.

1667. May. 9. John son of John Martin.
1675. October 15. Thomas Martine son of John Martin or Rewaling.
1678. April 25. Samuell son of John Rewalling otherwise John Martin.
1683. May 23. Mary daughter of John Martin alias Rewaling.

1685. November 22. John son of John Martin.
1713. June 4. Anna fil: Sam: Martyn.
1718/9. March 1. Joh: fil: Sam: Martin.
1722/3. March 10. Sam: fil: Sam: Martin.
1724. November 29. Joh: fil: Sam: Martin.
1755. November 30. Henry son of Henry Martin.
1756. June 20. William son of William Martin.
1758. April 16. Caleb son of Will^{m} Martyn.
1760. May 27. Caleb son of William Martin.
1762. November 7. James son of William & Susanna Martin.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1780.

Re: Martin Family.

Marriages.

1694. September 14. William Martin of Abbot Kersw(ell) & Elizabeth Voisey.
1705. May 6. Nicholas Oats & Agnes Martin.
1712. November 29. Richardu Martyn et Mariam Heal.
1724. May 3. Guil: Tamlin et Eliz: Martin.
1736. September 27. James Martin & Eliz: Langler.
1755. January 22. Henry Martin & Flora Cornish.
1756. February 19. William Martyn & Susanna Voysey.
1780. October 10. Daniel Fowler & Jenny Martin.

Extracts from the Parish Register of Wolborough, co. Devon. 1653 to 1780.

Re: Martin Family.

Burials.

1659. December 1. Widdow Martyn.
1666. September 11. John son of John Martin.
1675. April 6. A child of John Martin's.
1684/5. February 1. A child of John Martin's.
1687. August 30. John Martin alias Rewallin.
1717. December 29. Joh: fil: Sam: Martin.
1719/20. January 11. Nathan Martyn.
1740. August 15. James son of James Martin.

1753. August 20. Samuel Martin.
1757. June 11. Henry son of Henry Martin.
1759. March 15. Caleb son of William Martyn.
1764. May 6. James son of William and Susanna Martin.
1767. January 19. Caleb son of William & Susanna Martin.

Notes from the Register of Wolborough, co. Devon.

In 1658 John Beare of Bearescombe, esquire, Justice of the Peace, witnessed a number of Contracts of Marriages, and his signature appears against each contract.

The Reverend William Buckland was Rector of Wolborough from 1746 to 1760, had previously been Curate of the Parish.

At the end of the Parish Register are two lists of subscribers towards the purchase of a Fire Engine; in the return of 1744 there is a reference probably to William Beare, but no Beare reference in that of 1785,—

> "A list of the Contributors towards the Fire Engine belonging to the Parish of Wolborough with the Sums respectively contributed. Collected by W^{m} Buckland Curate 1744"
>
> (Inter alia) M^{r} Beare 0.10.6

List of Cornish Wills and Administrations in the Archdeaconry Court of Exeter.

1730 to 1780.

1738.	Sarah	Cornish of Exeter.	Will.
1739.	Robert	Cornish of Exeter.	Will.
1744.	Thomas	Cornish of Exeter	Will.
1745.	James	Cornish of Durnford.	Will.
1745.	Mary	Cornish of Durnford	Will.
1748.	Michael	Cornish of Exeter	Adm.
1750.	Nicholas	Cornish of Exeter	Will.
1755.	Joseph	Cornish of Exeter	Adm.
1761.	Nicholas	Cornish of Exeter	Will.
1770.	Gilbert	Cornish of Exeter	Adm.
	Principal Registry.		
1731.	Thomas	Cornish of Exeter.	Will.

List of Beare Wills and Administrations in the Consistory Court, Exeter.

1601 to 1800.

1608.	Richard	Beare of Chudleigh, senior	421. W.
1646.	Richard	Beare of Chudleigh.	A.
1672.	Hugh	Beare of Chudleigh.	A. W.
1686.	Jonas	Beare of Chudleigh	W.
1693.	Hugh	Beare of Chudleigh.	W.
1693.	Charles	Beare of Chudleigh.	W.
1711.	Elia	Beare of Chudleigh	A.
1718.	John	Beare of Chudleigh.	W.
1726.	William	Beare of Chudleigh.	W.
1741.	George	Beare of Chudleigh.	W.

List of Beare Wills and Administrations in the Archdeaconry Court of Totnes.

1601 to 1800.

1612.	William	Beere of Highweeke.		W.
1618.	Henry	Beer of Highweeke.		W.
1622.	Julian	Beere of Highweeke.		W.
1622.	Elizabeth	Beere als. Webber of Highweek.		W.
1707.	Thomas	Beere of Bearscombe.	July	Adm.
1711.	John	Beare of Bearscombe, esq.	May	Adm.
1712.	John	Beare of Bearscombe, esq.	May	Adm.
1752.	William	Beare of Newton Abbot.	July	W.

List of Beare Wills and Administrations at Exeter.

1660 to 1750.

Dean and Chapter.

1668.	Edmond Beere of Topsham.	Admon.
1668.	William Beere of Stoke Canon.	Admon.

Archdeaconry of Totnes.

1661.	November.	Peter Beare of Kingsteignton.	Admon.
1661.	November.	Arthur Beere of Torbrian.	Admon.
1662.	June	Elizabeth Beare of Broadhempston.	Will.
1663.	April	James Beare of Cornwood.	Admon.

1663.	August.	Thomas Beare of Boveytracey.	Admon.
1663.	September.	John Beare of Ashwater.	Will
1663.	October.	Philip Beare of Holsworthy.	Will.
1663.	January.	Nicholas Beare of Ashwater.	Admon.
1664.	March.	Hugh Beere of Plympton St. Mary.	——
1666.	May.	John Beare of Loddiswell.	Admon.
1668.	March.	William Bear of Kingsteignton.	Will.
1669.	June.	John Bear of Ashwater.	Will.
1671.	June.	George Beere of Modbury.	Will.
1672.	March.	John Beare of Modbury.	Admon.
1673.	January.	Elizabeth Beare of Kinsteignton.	Will.
1674.	July.	John Beare of Abbots Kerswell.	Admon.
1675.	April.	John Beare of Rivelstoke.	Admon.
1678.	October.	Gilbert Beere of Holberton, sen.	Will.
1683.	October.	William Beare of Kingsteignton.	Will.
1684.	April.	Richard Beere of Bovytracy.	Admon.
1684.	April.	Richard Beare of Bovytracy.	Admon.
1684.	April.	William Beare of Blackawton.	Will.
1686.	January	Edward Beere of Ugboro.	Will.
1686.	January.	Edward Beere of Broadhempston.	Admon.
1689.	October.	John Beare of Dodbrooke.	Will.
1689.	October.	George Beere of Dean Prior.	Will.
1690.	May.	John Beare of Broadwoodkeely.	Will.
1690.	May.	Agnes Beare of Dean Prior.	Will.
1690.	May.	Richard Beare of Dean Prior.	Will.
1690.	May.	Thomas Beare of Cornworthy.	Admon.
1692.	April.	John Beare of Kingswear.	Admon.
1694.	December.	William Beere of Modbury.	Admon.
1694.	January.	Catherine Beere of Dodbrooke.	Admon.
1695.	July.	John Beare of Sourton.	Admon.
1695.	July.	John Beare of Berry Pomeroy.	Admon.
1695.	December.	John Beere of Wenbury.	Will.
1697.	October.	John Beare of Ashwater.	Will.
1697.	November.	Richard Beare of Plymouth.	Will.
1698.	November.	Richard Beare of Plymouth.	Will.
1703.	January.	Richard Beere of Abbots Kerswell.	Admon.
1704.	May.	Richard Beare of Sourton.	Will.

1704.	October.	Richard Beer of Dean Prior.	Will.
1704.	October	Christopher Beer of Plymouth.	Admon.
1704.	November.	Samuel Beer of Plymouth.	Admon.
1706.	September.	William Beer of Plymouth.	Admon.
1707.	July.	Thomas Beere of Bearscombe.	Admon.
1708.	March.	Richard Beere of Egbuckland.	Admon.
1711.	April.	John Beare of Bearscombe.	Admon.
1712.	May.	John Beare of Bearscombe.	Admon.
1715.	February.	John Beare of Sherford.	Will & Admon.
1716.	April	Richard Beare of Sourton.	Admon.
1718.	January.	John Beere of Plymouth.	Will.
1720.	May.	Richard Beare of Boveytracey.	Will.
1720.	May.	John Beare of Kingsbridge.	Will.
1722.	January.	Samuel Beere of Plymouth.	Admon.
1723.	September.	John Beere of Modbury.	Will.
1725.	July.	Clement Beare of Ashwater.	Will.
1726.	May.	Peter Beare of Kingsteignton.	Will.
1726.	July.	Anthony Beare of Ashwater.	Admon.
1727.	February.	Samuel Beere of Brixton.	Will.
1729.	September.	Thomas Beare of Ashwater.	Will.
1729.	January.	Elizabeth Beare of Sourton.	Adm. & Will.
1730.	February.	Mary Beare of Ringmore.	Will.
1731.	June.	John Beare of Highhampton.	Will.
1731.	June.	Elizabeth Beare of Ashwater.	Will.
1733.	May.	John Beare of Bradworthy.	Will.
1735.	May.	John Beer of Cornworthy.	Will.
1736.	May.	. . . . Beare or Beer of Ideford.	Will.
1737.	April.	John Beer of Plymouth, sailor.	Will.

Extracts from Guildhall, Exeter. Misc Deeds.

No. 1720.

4 November 1612.
Nicholas Cornishe of Heavitree, yeoman, and Richard his son.
George Raphe of Exeter, cutlet.
Assignment of a lease (30 October 10 James I.) from Thomas Isacke of Polslo, gent., to the said Richard Cornish, of four closes of land, parcel of the Barton of Polleslowe (containing 13 acres), for 99 years, if the said Nicholas and Richard shall so long live.
Signed by Richard and Nicholas Cornish.
Two small seals, non armorial.

Extracts from the Parish Registers of St. Petrocks, Exeter.

RE: CORNISH FAMILY.

Baptisms. 1610 to 1750.

1700. April 11. Grace daughter of Abraham Cornish, chandler.

1701/2. February 16. Gilbert son of Abraham Cornish, chandler.

1703/4. January 16. John son of Abraham Cornish, chandler.

1706. September 8. John son of Abraham Cornish, chandler.

Marriage. 1645 to 1700.

1672. July 23. Richard Cornish of Credtone, miller, and Margery Lake of Newton.

Extracts from the Parish Registers of Topsham, co. Devon.

1628 to 1744.

RE: CORNISH FAMILY.

Baptisms.

1663. April 20. Elizabeth daughter of Henry and Amey Cornish.

1666. August 2. Mary daughter of Henry and Amey Cornish.

1667/8. March 23. Robert son of Henry and Amey Cornish.

1671. September 10. Elizabeth daughter of Henry and Amey Cornish.

1720. September 18. Anne daughter of Abraham and Mary Cornish.

1721. September 17. Abraham son of Abraham and Mary Cornish.

1722. October 7. Anne daughter of Abraham and Mary Cornish.

1725. August 1. Mary daughter of Abraham and Mary Cornish.

1728. June 28. Abraham son of Abraham and Mary Cornish.

1730. July 22. Anne daughter of Abraham and Mary Cornish.
1733. May 4. Joseph son of Abraham and Mary Cornish.
1734. March 31. Elizabeth daughter of John and Elizabeth Cornish.

Extracts from the Parish Registers of Topsham, co. Devon.

1628 to 1735.

Re: Cornish Family.

Marriages.

1662. June 12. Henry Cornish and Amey Pyne.
1686. November 28. Matthew Woodley and Elizabeth Cornish.

Extracts from the Parish Registers of Topsham, co. Devon.

1628 to 1735.

Re: Cornish Family.

Burials.

1659. June 12. Elizabeth wife * of Nicholas Cornish.
1666. June 9. Elizabeth daughter of Henry and Amey Cornish.
1666/7. March 8. ________ daughter of Henry Cornish.
1697. April 27. Peter Cornish, a stranger.
1704. October 25. Hannah Cornish, widow.
1713/4. January 1. Henry Cornish.
1719. June 8. William Cornish.
1720. November 15. Anne Cornish.
1722. November 15. Anne Cornish.
1723/4. March 10. Abraham Cornish.
1733. May 6. Joseph Cornish.
1734. December 3. Mary Cornish.
1734. December 27. Joan Cornish.

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* An error—should be *daughter.*

Extracts from the Parish Register of St. Laurence, Exeter. 1617 to 1738/9.

RE: CORNISH FAMILY.

Baptism. 1610 to 1675.
1617. May 25. John son of William Cornish.
Marriage. 1645 to 1700.
1718. May 3. Thomas Cornish and Sarah Prance.
Burials.
1731. September 25. Thomas Cornish.
1738/9. January 14. Sarah Cornish, widow.

Extracts from the Parish Register of St. Mary Arches, Exeter.

RE: CORNISH FAMILY.

Baptisms. 1610 to 1750.
1691. March 29. Thomas son of Thomas Cornish.
1741. October 11. Mary daughter of Thomas Cornish.
Marriages. 1610 to 1750.
1626. April 17. John Pearce and the widow Cornish.
1742. March 29. James Cornish and Alice Adams.
Burial. 1610 to 1700.
1680/1. March 22. Robert Cornish.

Extract from Exeter Diocesan Registry.

MARRIAGE BOND—RE: CORNISH.

Bond of Nicholas Cornish of Exeter, tallow chandler, and John Coombe of the same, cooper, in £200, dated 13 July 1741, for the marriage of the above Nicholas Cornish and Sarah Pleace of the Close, Exeter, spinster.

Exeter Marriage Licence.

RE: CORNISH.

1683/4. April 19. John Cornish of St. Davids and Susanna Cawley of St. Mary Major.

Extracts from the Exeter Marriage Licences.

RE: CORNISH.

1715. December 24. Benjamin Cornish of the city and co. Exeter and Miriam Clase of same, spinster.
1724/5. January 25. Nicholas Cornish of Exeter, chandler and Mary Cradick of same, spinster.
1741. July 13. Nicholas Cornish of Exeter, chandler and Sarah Pleace of the Close, spinster.

Extracts from the Exeter Cathedral Register.

Before 1750.

Marriages.

1609. May 16. John Sowden and Agnes Cornishe.
1655. July 23. Jeremy Codner of St. Sidwells, and Margaret Cornish, widow, of St. Laurence.
1657. July 27. Nicholas Cornish and Grace Jeffery, both of St. Davids.
1662. June 12. John Pearse and Sara Cornish.
1666. June 2. Laurence Cornish and Margaret Carpenter.
1673/4. January 31. William Shilston and Mary Cornish.
1719. December 2. Samuel Cornish, junior, of Sydmouth, and Ann Manyard of the same.
1719. December 26. Abraham Cornish of Topsham and Mary Adams of the same.
1720. July 29. John Harward of St. Olive and Mary Cornish of St. Johns.
1720. September 19. William Hicks of St. Kerrian and Ann Cornish of St Petrox.
1722. Charles Cornish of Heavitree and Elizabeth Butson of the same.
1724. June 25. John Cornish of Hennock and Margaret Coombe of St Pauls in Exeter.
1726/7. February 14. Peter Smale of Nymet Rowland and Ann Sowden of Lapford. (At the end of this entry in another hand, are the names Mary M^{c}Kenzie, C. Cornish)
1729/30. William Cornish of Exeter and Margaret Cleverton of the same. February 7.

1737. May 19. Abraham Cornish of Topsham and Ann Martin of St Davids, Exeter.

1741. July 20. Nicholas Cornish of St Pauls, tallow chandler, and Sarah Pleace of the close.

Extracts from the Parish Registers of St. David's, Exeter, co. Devon.

1600 to 1766.

Re: Cornish Family.

Burials.

1694. November 28. Nicholas Cornish.
1705. June 15. John son of Abraham Cornish.
1713/4. February 24. Mrs Cherity Cornish, widow.
1743/4. January 4. Deborah daughter of Thomas Cornish.

Extracts from the Parish Registers of St. David's, Exeter, co. Devon.

1600 to 1754.

Re: Cornish Family.

Marriages.

1636. May 17. William Cornish and Mudefill Bradmeade.
1697/8. March 16. Mr Henry Gurd and Deborah Cornish.
1698. April 5. Mr Christopher Gard and Mrs. Elizabeth Cornish.
1750. August 12. Peter Cornish, sailor, and Joanna Ballemey.
1753/4. March 6. Robert Finson and Martha Cornish.

Extracts from the Parish Register of St. Paul's, Exeter, co. Devon.

1600 to 1750.

Re: Cornish Family.

Marriages.

1724/5. January 29. Nicholas Cornish, chandler, and Mary Cradick.
1739. August 26. Richard Langman and Grace Cornish.

Extracts from the Parish Register of St. Paul's, Exeter, co. Devon.

1600 to 1780.

RE: CORNISH FAMILY.

Burials.

(There are no burials from 4 June 1707 to 9 September 1718, or from 1 March 1741 to 22 April 1746.)

1718. September 11. Elizabeth Cornish.
1719. June 27. John Cornish.
1725/6. January 26. Abraham Cornish.
1736. May 9. Ann Cornish.
1736. September 19. Ann Cornish.
1740. November 20. Mary Cornish.
1749. March 30. Margaret wife of Gilbert Cornish.
1750. April 2. Nicholas Cornish.
1754. February 14. Joseph Cornish, Alderman.*
1760. December 24. ---------------------- Cornish, widow.
1775. September 7. Mrs. ------------------ Cornish.

Extracts from the Parish Register of St. Paul's, Exeter, co. Devon.

1600 to 1750.

RE: CORNISH FAMILY.

Baptisms.

1718. August 6. Elizabeth daughter of Nicholas and Agnes Cornish.
1718/9. March 15. Mary daughter of Joseph and Mary Cornish.
1719. June 26. John son of Nicholas and Agnis Cornish.
1725. April 16. Nicholas son of Nicholas and Mary Cornish.
1735. October 12. Sarah daughter of Nicholas and Mary Cornish.
1737. September 11. Grace daughter of Nicholas and Mary Cornish.
1747. July 14. Joseph son of Nicholas Cornish.

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* Buried in the third seat from the north door.

Extracts from the Bishop's Transcripts of St. Thomas, Exeter, co. Devon.

Re: Cornish Family.

Burials.

1742/3. January 1. Richard son of William Cornish of Exeter.

1747. October 4. William son of William Cornish.

The following transcripts exist and have been searched, 1725 to 1735, and 1737, 1739 and 1740, 1742 and from 1744 to 1747.

Admitted as Freemen in Exeter.

Re: Cornish Family.

1593.	Richard Cornish as apprentice of William Dodridge.
3 and 4 James I.	David Cornish, weaver, by redemption.
1690–1.	Daniel Cornish, felmonger by apprenticeship.
1695–6.	Richard Cornish, fuller, by apprenticeship.
1698–9.	Abraham Cornish, chandler, by heirship.
1703.	John Cornish, grocer, by apprenticeship.
1723.	Joseph Cornish, baker, by apprenticeship.
1727.	Nicholas Cornish, tallow chandler, by heirship.
1727.	William Cornish, fuller, by apprenticeship.
1734.	John Cornish, tailor, by apprenticeship.
1761.	Nicholas Cornish, chandler, by heirship.
1776.	Nicholas Cornish, baker, by heirship.
1789.	Charles Cornish, of St. Edmonds, fuller, aged 30, by heirship.
1801.	Samuel Morgan Cornish, of Exeter, chandler, by apprenticeship 23 March.

Extracts from the Parish Registers of All-Hallows, Goldsmith Street, Exeter.

1561 to 1785.

Burials.

1696. October 14. Robert Cornish.
1715. April 30, William son of Philip Cornish.
1716. November 30. Philip Cornish.
1759. August 12. Thomas Cornish.
1770. March 12. Gilbert Cornish.
1785. Mrs. Deborah Cornish, of St Martins, widow. February 3.

Extracts from the Parish Registers of All-Hallows, Goldsmith Street, Exeter.

1566-1780.

Re: Cornish Family.

Baptisms.

1709. December 18. Philip son of Philip Cornish.
1711. July 15. John son of Philip Cornish.
1712. December 14. William son of Philip Cornish.
1713/4. March 14. Thomas son of Philip Cornish.
1755. March 23. Anne daughter of Gilbert Cornish.
1759. May 29. Charles son of Gilbert Cornish.

Extracts from the Bishop's Transcripts of Chudleigh, co. Devon.

Baptisms.

1693. April 30. Mary daughter of Joseph Cornish and Joan.
1694. June 24. John son of Robert Cornish and Elizabeth.

Marriage.

1687. April 24. Robert Cornish and Elizabeth Addams.

Copies of the Land Tax Rates, 1746.

RE: CORNISH FAMILY.

St Paul and Bradninch.		
M^{r} Nich^{s} Cornish Estate	£7.	1. 8.
St. David.		
Nicholas Cornish or occ.	£8.	1.12.0.
Holy Trinity.		
Mr. Abraham Cornish late Pear or occ.	£8.	1.12.
Mr. Abraham Cornish (Personals)	£20.	4.

Exeter Survey, 1730.

(Guildhall, Exeter. Vol. 198.)

RE: CORNISH FAMILY.

Duryard.		
Nicholas Cornish Abraham Cornish (dead)	parcel of ground inclosed by wall	1 life dated 1 Mar. 1664
St Nicholas.		
Nicholas Cornish, mason. Nicholas Cornish Richard Cornish Elizabeth Cornish	a plot of ground & another plot of ground to erect a tenement thereon & to lye out £60 thereon, 3 tenements upon it	10 April 1655.
St Nicholas.		
Nicholas Cornish ———————— Bradshaw	4 tenements & courtlage built by Nicholas Cornish on parcel of the close leased to Geo. Shapcote.	1 life deed dated 16 July 1655 (no rent here)
Joseph Cornish son of Abraham Cornish, Chandler.	[blank]	deed dated 15 March 1697. rent 10^{s}

Exeter Survey, circa 1725.

(Guildhall, Exeter. Vol. 196.)

RE: CORNISH FAMILY.

John Cave Abraham Cornish	2 messuages at west end of Exebridge on s. side thereof.	1 life deed dated 1 May 1681.
Nicholas Cornish, mason, Charity his wife (dead) Nicholas Munckly, fuller, Rebecca Cornish married to Stanbury.	Tenement on Exebridge.	1 life deed dated 12 June 1683.
Nicholas Cornish Abraham Cornish Samuel Munckly (dead) Peter son of John Payn.	Another tenement on Exebridge.	1 life deed dated 12 June 1683.
Nicholas Cornish John son of Robert Stutson. Abraham Cornish Richard White, jun. (dead)	Another tenement on Exebridge.	Deed dated 12? June 1683.
Abraham Cornish, chandler Ann his wife	Another tenement on Exebridge.	18 February 1689

John Pranket, jun.		
Nicholas Cornish, mason. Nicholas Cornish Richard Cornish Elizabeth Cornish	A plot of ground & another plot to erect a tenement thereon & to lye out . . . thereon 3 tenements upon it [?in St Davids]	————
Nicholas Cornish Bradshaw	4 tenements & one courtlege erected by said Nichols on parcel of the close leased by George Shapcot	1 life deed dated 16 July 1655.
Joseph Cornish son of Abraham Cornish chandler.	Nothing to show where this tenement was, next entry but one is St Davids.	Deed dated 15 March 1697.
Nicholas Cornish, mason. Abraham Cornish.	Parcel of ground enclosed by wall	1 life dated 1 Mar. 1664.

Exeter Survey, circa 1700.

(Guildhall, Exeter, Vol. 193.)

A Plot of waste ground in St Thomas the Apostle at west end of Exebridge adjoining bridge from west of stone steps there, as they are now set towards a stone wall there of late erected for preservation of the ware under the said bridge; on which plot a house is lately built.

Held by assigns of John Cave, tallow chandler, by indenture dated 1 May 1681, for the lives of Abraham Cornish, John Cornish and Rebecca Cornish, sons and daughter of Nicholas Cornish, mason, under covenant to lay out £100 in building a house.

Assigns of Nicholas Cornish hold by indenture dated 12 June 1683, a plot of waste ground in St Edmonds, between Exebridge and Horsepool Bridge, and upon the bridge between two of the peers thereof, on which plot a dwelling house is lately erected for the lives of Nicholas son of John Munckley late of Exeter, merchant, deceased, Charity wife of Nicholas Cornish and Bebecca Cornish her daughter.

Assigns of the same Nicholas Cornish held by indenture of the same date another plot in the parish of St Edmonds upon Exebridge, from a tenement there lately erected by the said Nicholas, to the next pier westward, for the lives of Abraham Cornish son of Nicholas, Samuel Munckley son of John Munckley, merchant, deceased, and Peter Payne son of John Payne, butcher.

Assigns of the said Nicholas Cornish by indenture dated 17 June 1687, another plot on the south east side of Exebridge in St Edmunds, for the lives of John son of Robert Studson of the said city, taylor, Abraham Cornish, chandler, and Richard White, the younger, of the said city, merchant.

Abraham Cornish, tallow chandler, holds by indenture dated 18 February 1689, a messuage in the south east side of Exebridge in the parish of St Edmonds for the lives of the said Abraham Cornish, Ann his wife, and John Prankett, younger son of John Prankett of St Davids, maulster.

Assigns of Nicholas Cornish, mason, hold by indenture dated 1 March 1664, parcel of ground on St David's Hill, in the parish of St Davids, parcel of the manor of Duryard (described) for the lives of Richard Cornish, John Cornish and Abraham Cornish, sons of the said Nicholas.

Exeter Survey, 1688.

(Guildhall, Exeter. Vol. 192.)

Manor of Duryard.

Tenant Nicholas Cornish, mason, Abraham Cornish, one parcel of ground inclosed by a wall 134 foot in length, breadth 10 foot.

Lease for one life Dated 1 March 1664, rent 6^s 8^d, yearly value £1.

St Nicholas Parish.

Tenant Nicholas Cornish, mason. Nicholas and Richard

Cornish, sons, dead, Elizabeth Cornish, daughter, dead, and Elizabeth Cornish, wife, who is dead.

> "All that Plot of Ground & Garden & another Plot of Ground to Erect a tenement thereon and to Lye out 60^{li} therein, 3, tenem^{ts} upon itt"

Lease for one life dated 10 April 1655, rent 4^s, yearly value £5.
Exe Bridge.
Nicholas Cornish, mason. Abraham Cornish his son, Samuel Munkley, merchant, Peter Payne son of John Payne, Butcher.
Another tenement upon the said Bridge.
Lease for three lives dated 1 June 1683. rent 5^s.
Exe Bridge.
Tenant John Cave, chandler. Abraham Cornish, John Cornish Rebecca Cornish now Stanburys widdow. Sons and daughter of Nicholas Cornish, mason.
A tenement on the bridge.
Lease for three lives dated 1 May 1681 rent 5^s
Exe Bridge.
Nicholas Cornish, mason, Charity his wife, Nicholas Munkley, fuller. Rebecca Cornish his daughter. Now Stanberry.
Another tenement upon the said Bridge.
Lease for three lives dated 12 June 1683.
Exe Bridge.
Nicholas Cornish. John Stutson son of Robert Stutson tailor, Abraham Cornish, Richard White, junr. Another tenement on the said Bridge.
Lease for three lives dated 17 June 1687, rent 5^s.
Exe Bridge.
Abraham Cornish, chandler. Abraham Cornish (later hand) Anne his wife. John Pranket, jun.
Another tenement on the Bridge.
Lease for three lives dated 18 February 1689. rent 5^s.

Exeter Survey, circa 1687.

(Guildhall, Exeter. Vol. 1687.)

Manor of Duryard.
Tenant Richard Cornish, dead. John Cornish Abraham Cornish. One parcel of land enclosed by a wall.
Lease for three lives dated 1 March 1664/5 rent 6^s 8^d.

Exbridge.
Tenant Abraham Cornish, John Cornish, John Coombe, junr. A waste parcell of land att the west end of Exbridge.
Lease for three lives, dated 1 May 1681. rent 10^s.
Exiland.
Tenant Abraham Cornish, John Cornish, Rebecca Cornish. A waste plot of ground at y^e West end of Exbridge. Lease for three lives dated 1 May 1681. 5^s.
Tenant Nicholas Monkley, Charity Cornish, Rebecca Cornish. A waste plott of ground bet(?) Horspoolbridg and Exbridg to build thereon.
Lease for three lives dated 12 June 1683. Rent 5^s.
Tenant Abraham Cornish, Samuel Monkly, Peter Payn. A tenement build on a wast plott of ground bet... Horspoolbridg and Exbridg.
Lease for three lives dated 12 June 1683, rent 5^s.
Lands belonging to Hospitals, Priories &c.
Tenant Nicholas Cornish Elizabeth his wife (dead) Richard Cornish, Elizabeth Cornish One tenement and one garden enclosed.
Lease for three lives dated 10 April 1655 rent 3^s 8^d and 4½^d. Heriot 3^s 4^d.
At the end of this volume is a rental of 1672.
Off Nicholas Cornish for one other inclosure there alsoe neare adjoyninge iiij^d."
(Inclosures out of the High Ways, on the N. side between Exeter and Cowleigh. Bridge.)
Off Nicholas Cornishe for the rent of an inclosure between his house and the high way nowe inclosed by a wallevj^s viij^d."
St. Nicholas Priory.
Off Nicholas Cornishe, mason, for a high rent out of a house there next adjoining wherein he now dwelleth xij^d
Convenc̃onarie Rents (St. Nicholas)
Off Nicholas Cornish for the rent of one other Tenem^t, late Giffords lying over against the Church there. iij^s viij^d.

Certificate of Marriage

Pursuant to the Births, Deaths, and Marriages Registration Act, 1836.

1755	Marriage solemnized at the Parish Church in the Parish of Wolborough in the County of Devon.							
Colums.	1	2	3	4	5	6	7	8
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the Time of Marriage	Father's Name and Surname	Rank or Profession of Father.
	January 22nd 1755.	Henry Martin				Parish of Wolborough.		
		Flora Cornish				Of the same Parish.		

Married in the Parish Church according to the Rites and Ceremonies of the Church of England by license or after ...... by me,

Wm. Buckland,
Rector.

This marriage (Henry Martin) In the (Jno. Mugg
was solemnized ( ) Presence (
between us, (Flora Cornish) of us, (William Tapp.

I, Claude A. W. Russell, Rector of Wolborough in the County of Devon, DO HEREBY CERTIFY that this is a true copy of an Entry No. 3 in the Marriage Register Book of the said Parish that such Register Books are now legally in my custody.

WITNESS my hand this fifteen day of May, 1929.

Claude A. W. Russell
Rector (Stamp)

Certificate of Marriage

Pursuant to the Births, Deaths, and Marriages Registration Act, 1836.

1759	Marriage solemnized at the Parish Church in the Parish of Wolborough in the County of Devon.							
Col-ums.	1	2	3	4	5	6	7	8
No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profes-sion.	Residence at the Time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
42	July 11th 1759	Mr. John Beare Flora Martin		Widower Widow		Of the Parish Of the Parish		

Married in the (Parish Church) according to the Rites and Ceremonies of the (Church of England) by license or after ...... by me,

Wm. Buckland,
Rector.

This marriage was solemnized between us, (John Beare (Flora Martin) In the Presence of us, (Eliz. Bradford (Walter Spiller

I, Claude A. W. Russell, Rector of Wolborough in the County of Devon DO HEREBY CERTIFY that this is a true copy of an Entry No. 42 in the Marriage Register Book of the said Parish and that such register books are now legally in my custody.

CLAUDE A. W. RUSSELL
Rector. (Stamp)

WITNESS my hand this fourteenth day of November, 1928.

Certificate from Baptism Book

of the Parish of Wolborough

Page

BAPTISM Solemnized in the Parish of..................in the County of Devon....................

in the year One Thousand .... Hundred and ....

When Baptized.	Child's Christian Name.	Parents' Names.		Abode.	Quality, Trade, or Profession.	By whom the Ceremony was Performed.
		Christian.	Surname.			
1760 February 7th	was born Henry Martin Son of	John Beare	and Flora hi	s wife.		

THE ABOVE IS A TRUE COPY of the Baptismal Register of the Parish aforesaid, extracted this fourteenth day of November in the Year of our Lord One thousand nine hundred and twenty eight,

By me, Claude A. W. Russell,

Rector

(Stamp)

Certificate of Burial

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<tr><td colspan="5">BURIAL in the Parish of Wolborough in the County of Devon in the Year One Thousand Seven Hundred and Eighty-six.</td></tr>
<tr><td>Name.</td><td>Abode.</td><td>When Buried.</td><td>Age.</td><td>By whom the Ceremony was performed.</td></tr>
<tr><td>Mrs. Flora Beare.</td><td></td><td>August 16th</td><td>55</td><td></td></tr>
</table>

THE ABOVE IS A TRUE COPY of the Burial Register of the Parish aforesaid, EXTRACTED this 15th day of May in the Year of our Lord One Thousand Nine Hundred and Twenty-eight

By Claude A. W. Russell

(Stamp)

Rector of Wolborough

Services of Henry Martin Beare

from 23 March 1780 to 31 January 1786
taken from Muster Rolls and Pay Books.
See accompanying extracts

Henry Martin Beare volunteered for service and entered on *Medea* 23 April 1780 and acted as able bodied seaman until 10 May 1780 when he was made Masters Mate. He was on the ship until 5 October 1780 when he was discharged. He appeared on the *Juno* on 6 Oct. 1780 and acted as Masters Mate and was discharged on 23 January 1783. He appeared on the *Superb* on 23 January 1783 and is described as able bodied until 15 March 1783 when he was advanced to Midshipman. He was discharged on 21 April 1783 on preferment and returned to the *Juno* on 20 April 1783 as a Midshipman. He remained on this ship until 4 September 1784 when he received his Commission as a Lieutenant and was discharged on that day and appointed in the quality of 2nd Lieutenant on the next day, viz: 5 September 1784 to the *Bristol* from whence he and his servant were discharged on 24 April 1785 and entered, on that day, the *Defence* in the quality of 3rd Lieutenant where he remained until the ship was paid off on 31 January 1786.

Extracts from Admiralty Muster Rolls, Series I,

of the service of Henry Martin Beare of the ships undermentioned.

MEDEA 9503

No.	Entry	Appearance	Whence	Name	Quality
	23 April 1780	23 April	Volunteer	Henry Beare 10 May 1780 Masters Mate	A. B.
39	6 Oct. 1780	6 Oct.	*Juno 9998* Medea	Henry Beare	Masters Mate

NOTE. The above is in the section from 1 Oct. 1780 to 14 Dec. 1780 and continues to section 26 Feb. to 10 March 1780 which is the end of Vol. 9998. He is also throughout Vol. 9999 which is for the period ending 31 March 1782 and also in Vol. 10000 which goes as far as 23 Nov. 1783.

SUPERB 10079

No.	Entry	Appearance	Whence	Name	Quality
1508	23 January 1783	23 January	Juno	Henry Beare	Able bodied
601	5 Sep. 1784	5 Sept.	*BRISTOL 10472* per Com. 4 Sept.	Henry Beare	2nd Lieut.
602	5 Sep. 1784	5 Sept.	Juno	Geo. Newton	his servant

NOTE. The above extracts are from the section from 1 Sep. 84 to 31 Oct. 84. The same entries also occur in sections from 1 Nov. 84 to 19 Dec. 84 and from 20 Dec. 84 to 28 Feb. 1785. The following are extracts from section 1 March 85 to 24 April 1785.

No.	Entry	Appearance	Whence	Name	Quality
601	5 Sep. 1784	5 Sept.	per Comn. 4 Sep. 1784	Henry M. Beare 2nd Lieut.	discharged 24 April 1785
602	do.	do.	Juno	George Newton his servant	

Extracts from Admiralty Treasurers Pay Book, Ser. II.

JUNO 443

No.	Entry	Appearance	Whence	Name	Quality	Discharged	Whither
407	20 April 1783	20 April	Superb per Comn. 20 April 1783	Henry M. Beare	2nd Lieut.	4 Septr. 1784	Bristol, superseded.

Admiralty—Treasurer's Pay Books, Ser. II, No. 503.

Defence **1** *July* **1781** *to Decr.* **1790**

(Extract from page 66)

No.	Entry	Year	Appearance	Whence & whether prest or not	Age	Men's names	Quality	Next Wages	When Paid	To whom Paid
1825	24th April	1785	24th April	per Commission 24th	. . .	Henry Beare	3rd Lieut.	L55.12.9	29 Mar. 86	Marsh & Creed Assessees

SUPREME COURT

JUDGES CHAMBERS

NEW YORK

Dec. 26, 1928.

This is to certify that the index of the records of the Court of Common Pleas of the County of New York show that one Henry M. Beare was naturalized by said Court in the month of July in the year 1804.

Clerk of Old Naturalization Records
Special Term, Part 2, Room 315
Supreme Court, County Court House
New York City
Thos. F. Powers
A. S. D. C.

Last Will and Testament of Henry Martin Beare.

In The Name of God, Amen. I, Henry Martin Beare, of the City of New York, being in sound mind and memory: do declare, this, to be my Last Will and Testament: as follows: Having during the last few years of my life; sustained sundry heavy losses, occasioned from the failure of my sons: with (Warmoldus Cooper) and likewise by Capt. A. DePeyster, and others, which has been the cause of rendering my former will, null and void: therefor, to prevent any difficulties between the two branches of my family hereafter; I do hereby will, that whatever property, I may possess at my death: or whatever sums may be recovered hereafter: shall be distributed as follows: After paying off my just debts (which are but few), First: My house N 111 Chamber Street, I request may be sold, at the most convenient season of the year: and as I was under the necessity of taking up the sum of Four Thousand Five Hundred Dollars; on mortgage, on S^{d}. house after the failure of my sons, from the widow Ludlow: that sum to be first paid: Second, Eight Hundred Dollars to be *paid* to my wife, Charlotte Beare, therefrom, being the amount of a sale of lands: sold, on her account, and employ'd in building S^{d}. house: the remainder to be equally divided between my children, Henrietta, Thomas, Henry, and Cornelia Beare: Whereas it will appear by my schedule of debts due to me, that my sons William and Charles Beare are indepted to me for sums advanced, for the purpose of taking up of their notes, since their failure: likewise for a bond for One Thousand Dollars signed by William Beare, and Warmoldus Cooper: the interest on said bond, I have relinquished; but the interest, on the amount which I have advanced, to continue, untill the day of my decease: I do not wish that my executor should press them for the payment of this debt: untill they are in a situation so to do; when I hope their own *Honor* and consience, will prompt them, to make a settlement with their brothers and sisters in the following manner, one seventh part of both sums to be paid equally divided (say) to William, Charlotte & Charles Beare. To Henrietta, Thomas, Henry and Cornelia Beare each one seventh part of the sums so recovered: any other sums which may become due to me or recovered on my account after paying one third of the same to my wife, Charlotte Beare: The residue to be divided as before, mentioned, that is to say, one seventh part, to each of my children: I do hereby appoint Frederick Gouverneur to be my Executor of this my Last Will and Testament; revoking all former wills by me made: In witness whereof I have hereunto sett my hand and seal the twenty-ninth day of December, One Thousand Eight Hundred and Twenty-six.

H. M. Beare (L. S.)

Sign'd, Seal'd & Deliver'd in the presence of Jno W. Marston.
City and County of New York, S. S.:

Be it remem- that on the tenth day of October in the Year of our Lord One Thousand Eight Hundred and Twenty Eight, personally came and appeared before James Campbell, Surrogate of the said County, John W. Marston of the City of New York, grocer, who, being duly sworn on his oath, declared that he saw Henry M. Beare sign and seal an instrument in writing purporting to be the will of the said Henry M. Beare bearing date the twenty-ninth day of December, One

Thousand Eight Hundred and Twenty-six (the preceding whereof is a true copy) and heard him publish and the same as and for his last will and testament that at the time thereof he the said Henry M. Beare *was* of sound, disposing mind and memory to the best of the knowledge and belief of this deponent that his name subscribed as a witness to the said will is of his proper handwriting which he subscribed as a witness thereto in the presence of the testator.

James Campbell.

The People of the State of New York. By the grace of God free and independent. To all to whom these presents shall come or may concern, send greeting. Know ye that at the City and County of New York, on the day of the date hereof before James Campbell Esquire, Surrogate, of our said County, the last will and testament of Henry M. Beare, deceased, (a copy whereof is hereunto annexed, was proved, and is now approved, and allowed by us; and the said deceased having whilst he lived, and at the time of his death, goods, chattels or credits, within this state, by means whereof the proving and registering the said will and the granting administration of all and singular the said goods, chattels and credits and also the auditing, allowing and final discharging the account thereof, doth belonging unto us; the administration of all and singular the goods, chattels and credits of the said deceased and any way concerning his Will is granted unto Frederick Gouverneur, the Executor in the said will named he being first duly sworn, well and faithfully to administer the same, and to make and exhibit a true and perfect inventory of all and singular the said goods, chattels and credits; and also to render a just and true account thereof, when thereunto required. In testimony whereof we have caused the seal of office of our said Surrogate to be hereunto affixed. Witness James Campbell Esquire, Surrogate of the said County at the city of New York the tenth day of October in the Year of our Lord One Thousand Eight Hundred and Twenty-eight and of our independence the fifty-third.

James Campbell

Last Will and Testament of Thomas Marston Beare.

Letters Test. Liber 28, p. 177

Be it remembered that heretofore, to wit, on the ninth day of December in the year One Thousand Eight Hundred and Sixty-nine, Charlotte Beare, an executrix, named in the Last Will and Testament of Thomas M. Beare, late of the County of New York, deceased, appeared in open court before Gideon J. Tucker, Surrogate of the County of New York, and made application to have the said Last Will and Testament which relates to personal estate only, proved, and on such application the Surrogate did ascertain by satisfactory evidence who were the only heirs and next of kin of said deceased and their respective residences and said Surrogate did thereupon issue a citation directed to said only heirs and next of kin by their respective names stating their places of residence requiring them to appear before said Surrogate at his office in the City of New York on the eighteenth day of December then instant to attend the probate of said will and afterwards, to wit: on the said eighteenth day of December, 1869, satisfactory evidence by affidavit was adduced and presented to said Surrogate of the service of the said citation in the mode prescribed by law. It being ascertained on the said day or before any proceedings were taken upon the said will that several of the parties cited were minors having no general guardian residing in the State of New York, a special guardian was appointed in due form of law to take care of their interests in the matter of proving said will by an order duly entered for that purpose *by* said Surrogate, and on that day no one appearing to oppose the probate of said will such proceedings were thereupon had afterwards that said Surrogate took the proofs of said will hereinafter set forth and upon this Fifth day of January in the year One

Thousand Eight Hundred and Seventy Robert C. Hutchins, Surrogate, adjudged said will to be a valid will of personal estate only and the proofs thereof to be sufficient, which said last will and testament and proofs are as follows, that is to say:

U. S. Int.
Rev. Stamp
$22.50
Cancelled

I, Thomas M. Beare of the City of New York, do hereby make, publish and declare this to be my Last Will and Testament. First I give, devise and bequeath unto my wife, Mary S. Beare all of my estate as well real as personal which shall belong to me or wherein I shall be interested at the time of my death, including a policy of insurance on my life for the sum of Five Thousand Dollars (and the accumulations thereon) made by the Mutual Life Insurance Company of this City. Being well assured that my wife will make such a disposition or division of the said estate amongst my children as she knows my desire to be done and as her own love and affection for them will prompt her to do. Second I appoint my wife, Mary S. Beare and my daughter Charlotte Beare to be my executrixes of this my will and I give to my executrixes or to the one who shall act as such and the survivor of them full power and authority to bargain, sell or convey for such prices and upon such terms as they or she may think fit any and all real estate which may belong to me at the time of my death the proceeds of such sale to be appropriated as above. Third I appoint my said wife Mary S. Beare to be the guardian of the persons and estates of my minor children during their respective minorities. Fourth, I revoke all former and other wills by me heretofore made and declare this to be my only Last Will and Testament. In testimony whereof I have hereunto set my hand and seal the seventh day of September, One Thousand Eight Hundred and Sixty-seven.

Thos. M. Beare (L. S.)

On the seventh day of September, One Thousand Eight Hundred and Sixty-seven, the above named testator, Thomas M. Beare, in our presence subscribed and sealed the foregoing instrument and declared the same to be his Last Will and Testament and we thereupon at his request and in his presence and in the of each other have hereunto subscribed our names as attesting witnesses.

H. K. Leonard
44 Stuyvesant Street
E. B. Brown
Weehawken, N. Jersey

Surrogates Court, County of New York:

In the matter of proving the Last Will and Testament of Thomas M. Beare, deceased, as a will of personal estate. Examination of witnesses sworn and examined in the above entitled manner, County of New York, to wit: Henry K. Leonard of said County being duly sworn as a witness in the above entitled matter and examined on behalf of the applicant to prove said will says: I was well acquainted with Thomas M. Beare, now deceased. I knew the above named decedent for twelve years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his Last Will and testament and bearing date the 7th day of September in the year One Thousand Eight Hundred and Sixty-seven was made by the decedent at the City of New York in the presence of myself and Edward B. Brown, the other subscribing witness. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his Last Will and Testament, and I thereupon signed my name as witness, at the end of said instrument at the request of said decedent and in his presence. The said decedent at the time of so executing said instrument was upwards of the age of twenty-one years and of sound mind, memory and understanding and not under any restraint or in any respect incompetent to devise real estate. I also saw said Edward B. Brown the other attesting witness sign his name as a witness at the end of said will and know that he did so at the request of said decedent and in her presence.

H. K. Leonard

Sworn this 18th day of December, 1869, before me
Gideon J. Tucker, Surrogate.

County of New York, to wit:

Edward B. Brown of Weehawken, New Jersey, being duly sworn as a witness in the above entitled matter and examined on behalf of the applicant to prove said will says I was well acquainted with Thomas M. Beare, now deceased. I knew the above named decedent for twenty years and upwards before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his Last Will and Testament and bearing date the 7th day of September in the year One Thousand Eight Hundred and Sixty-seven was made by the decedent at the City of New York in the presence of myself and Henry K. Leonard, the other subscribing witness. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his Last Will and Testament and I thereupon signed my name as a witness at the end of said instrument at the request of said decedent and in his presence. The said decedent at the time of so executing said instrument was upwards of the age of twenty-one years and of sound mind, memory and understanding and not under any restraint or in any respect incompetent to devise real estate. I also saw said Henry K. Leonard, the other attesting witness sign his name as a witness at the end of said will and know that he did so at the request of said decedent and in his presence.

(No signature)

Sworn this eighteenth day of December, One Thousand Eight Hundred and Sixty-nine, Gideon J. Tucker, Surrogate.

County of New York, S. S.:

Recorded the preceding Last Will and Testament of Thomas M. Beare, deceased, as a will of Personal Estate only, together with the proofs and examinations taken and had in the Court of the Surrogate of the County of New York, relating to the said Last Will and Testament, which said record is hereby signed and certified by me pursuant to the provisions of the Revised Statutes the Fifth day of January in the Year of our Lord One Thousand Eight Hundred and Seventy.

Robert C. Hutchins,
Surrogate.

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